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**EXILIUM ROMANUM: EXILE, POLITICS AND
PERSONAL EXPERIENCE FROM 58 BC TO AD 68**

**Thesis submitted by Neil Raj Singh-Masuda MA in
partial fulfilment for the degree of PhD in Classics
at the University of Warwick**

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SUMMARY

This thesis investigates the sentence of exile in Rome from the years 58 BC to AD 68. Its central argument is that exile increased in severity from the end of the Republic until it had been turned into a despotic tool at the end of the Julio-Claudian Dynasty. The thesis also aims to convey diachronically the sense of exile through an analysis of its experiential effect on those who suffered banishment from Rome, while taking account of legal changes and explaining the various forms of exile, *aquae et ignis interdictio*, *relegatio* and *deportatio*. Primary sources referred to include the exilic works of Cicero, Ovid and Seneca, the historical texts of Tacitus, Suetonius and Cassius Dio, as well as a wide range of other ancient writers. Additional research methods include the use of epigraphic and material evidence. A full bibliography of secondary sources and appendices on key moments and places of exile are included.

SELECT LIST OF ABBREVIATIONS

Ad Helviam	<i>Ad Helviam matrem de consolatione</i>
Ad Polyb.	<i>Ad Polybium de consolatione</i>
Ann.	<i>Annals</i> of Tacitus
Att.	<i>Epistulae ad Atticum</i>
Aug.	Suetonius' account of the Deified Augustus
Cal.	Suetonius' account of Gaius Caligula
Cic.	Cicero
Claud.	Suetonius' account of the Deified Claudius
cos.	consul
CUP	Cambridge University Press
Digest	<i>Digest of Justinian</i>
Dio	Roman History of Cassius Dio
Ed.	Edited/edition
Ep.	Epistles
Ex Ponto	<i>Epistulae ex Ponto</i> of Ovid
Fam.	<i>Epistulae ad Familiares</i>
fr.	fragment
Hist.	<i>Histories</i> of Tacitus
ILS	<i>Inscriptiones Latinae Selectae</i>
Nat. Hist.	<i>Naturalis Historia</i>
OUP	Oxford University Press
Phil.	<i>Philippics</i> of Cicero
Plut.	Plutarch
Q. Fr.	<i>Epistulae ad Quintum fratrem</i>
Suet.	Suetonius
Tac.	Tacitus
Tib.	Suetonius' account of Tiberius
tr.	Translation/translated

ILLUSTRATIONS

Map 1: Places of exile close to Italy

Map 2: Places of exile in the Roman Empire during the Julio-Claudian Dynasty

Photograph of Ovid's statue in Constantza by Neil Masuda



A SENSE OF EXILE

*"I sometimes feel as if I had no other
wish than to see my country again
and to die...let me assure you that
banishment is no light matter."*

Macaulay¹

"An exile is someone who inhabits one place and remembers or projects the reality of another."² Exiles were commonplace during the time of Aristides the Just in Greece in the fifth century BC and they remain a commonplace in the age of President Jean-Bertrand Aristide in late-twentieth century Haiti³: the range of exilic characters varies from Daedalus of Athens to Dedalus of Dublin. Exile is a condition capable of arousing great emotion, not only in the person who suffers it but in its secondary victims, those who have been left at "home". Throughout the centuries, it has produced a state of despair and gloom, through which the only flickering glimmer of light is the hope that the banished person might one day be able to return to his native land. In Roman history, the subject of exile has generally been afforded a supporting role, rather than dominating the stage, and yet its appearances have been frequent: from the mythical expulsion of Rome's last king to Tillius Cimber's petition seeking his brother's recall from exile, which delayed Julius Caesar and led to his assassination, from Lucretius' dedication of his great work to a Republican exile to the Shakespearian mention of Ovid in his tragic place of banishment,

¹To Selina and Frances Macaulay, September 11, 1837. Pinney, T., ed., *Letters* (Cambridge: CUP, 1976) iii. 223

²Seidel, M., *Exile and the Narrative Imagination* (New Haven: Yale University Press, 1986), ix.

³Aristides the Just suffered Ostracism in 483 BC. Jean-Bertrand Aristide went into exile in 1991 following a military coup by General Raoul Cedras, who himself went into exile in Panama on October 13, 1994 when Aristide was recalled by his people.

where, in *As You Like It*, Touchstone punningly replies to Audrey: "I am here with thee and thy goats, as the most capricious poet, honest Ovid, was among the Goths" (Act 3, Scene 3). Exile played a key role in shaping Roman politics and society during the late Republic and the early principate, yet the change in its implementation reflected the radical change in Rome's system of government, from consensus to autocratic rule. By their very attitude towards exile, the Romans strongly declared their own sense of identity and belonging. The sense of exclusion is so profound that the former Roman citizen has far less acceptance in both metaphorical and literal terms than the foreigner by birth. Exile places a person in a state of un-Romanness. There is a vast difference, however, between the use of voluntary exile during the Republic and the harsher sentence of exile during the principate.

It is the main argument of this thesis that the implementation of exile worsens from the end of the Republic to the end of the Julio-Claudian Dynasty. Instead of exile being a sanctuary which could be undertaken voluntarily during the Republic, it eventually became a tool wielded in an increasingly despotic manner by the emperors. The contrast between Republican examples, especially Cicero's banishment, and those of the Julio-Claudian Dynasty emphasises the way in which exile affected, and was perceived in, Roman society. With this in mind, the subject of exile will be approached more chronologically and diachronically than thematically, although certain motifs do recur. In addition, the thesis will analyse the experience of exilic victims and convey the effect of banishment on those who suffered it. For the purposes of the study, the English words "exile" and "banishment" will be used synonymously to convey all types of exile, but any analysis of an individual case will clarify whether the exile is self-imposed or enforced. The differences between the three main types of Roman exile, *aquae et ignis interdictio*, *relegatio* and *deportatio* will also be fully explained. Further, the study will concentrate on those people thought of

as exiles in the primary sources, i.e. members of the Roman elite, the *honestiores*. It is true that other members of society were banished during the period under analysis, but the use of exile as a penalty pertained much more to the aristocracy than to plebeians or slaves. Low-status persons, *humiliores*, usually suffered execution or penalties such as *opus publicum* or *metallum*, though there are some exceptions⁴.

Etymologically, Roman exile has always remained a matter of some debate. The derivation of the Latin term *exilium*, or *exsilium*, shows that disjunction is essential, but scholars are less certain whether the emphasis falls on the act of separation (*salire*, *saltare*)⁵ or the place from which one is divided (*ex solo*)⁶. Cicero's view seems to concur with the latter interpretation. In the *pro Caecina* 34.100, he talks of persons wishing to avoid punishment as shifting their ground: *solum vertunt*. Again, in the *Paradoxa Stoicorum* (4.31.1), he states that impious criminals are exiles even if they do not change their dwellings: *etiam si solum non mutarint*. And, not long after his own return from exile, in the *De Domo Sua* (30.78), he declares: *qui erant rerum capitalium condemnati, non prius hanc civitatem amittebant, quam erant in eam recepti, quo vertendi, hoc est mutandi, soli causa venerant*. Since the primary act of an exile is the physical departure from his native land for another place, the emphasis would almost certainly appear to lie, in a literal sense, in *solum vertere*⁷. The concept of *exilium* was based on two ideas which were

⁴Augustus passed a sentence of *leve exilium* on a man *e plebe* for libel (Suet. *Aug.* 51) and a freedman called Atilius, who was responsible for the theatre disaster at Fidenae under Tiberius, was driven into exile: *Atilius in exilium actus est* (Tac. *Ann.* 4.63). Other types of troublemakers also suffered *relegatio* or *leve exilium*. These included actors, Jews, philosophers, soothsayers, astrologers and simply gangs of youths (*iuvenes*). Most of these enemies of order would have been of low rank.

⁵Seidel, M., *Exile and the Narrative Imagination* (New Haven: Yale University Press, 1986), 1, states: "The word *exile* derives from *ex* ('out of') and the Latin root *salire* ('to leap'), the same etymological root that produces the word *exult*."

⁶Ernout, A. and Meillet, A., *Dictionnaire Etymologique de la Langue Latine: Histoire des mots* (Paris: C. Klincksieck, 1959), 207, incline towards the latter view, but Isidore of Seville (*Etymologiae* 5.27.28) derives the term from *extra solum*.

⁷Different interpretations are perhaps more the result of modern analyses than a true reflection of *exilium* as the Romans saw it.

common to Graeco-Roman urban life: first, that no man possessed rights other than those of the *civitas* of which he was a member, and second, that it was not possible to be a citizen of two different *civitates* at the same time (Cic. *pro Balbo* 11.28; *pro Caecina* 34.100). *Exilium* implied the destruction of one status and the birth of another. Since the individual had chosen to go into exile, it was always assumed to be a voluntary act during the Republic. It was thus a combination of the individual's withdrawal to some safe place (*solum vertere*) and the intention of going as a settler in that new place, not as a visitor (*exilii causa*). The nouns *exilium* and *exul* are frequently used as umbrella terms to cover all types of exile, but Roman writers and historians have also used a variety of other words to describe the act of exile. The sense of voluntary exile occasionally finds expression in the use of words such as *demigratio*, *fuga* and *peregrinatio*, while enforced exile can be conveyed by such words as *expulsio* and *eiectio*. However, the terms most commonly used were, for non-capital exile, *relegatio*, and for capital exile, *aquae et ignis interdictio* and *deportatio*. These represented the three major sentences of exile during Roman times.

First there is the sentence of interdiction, or *aquae et ignis interdictio*. Originally, this was a magisterial act which could be used against any foreigner to prevent him entering Rome or Italy and was only applicable against foreigners, although its use was later confined to people who had once been citizens⁸. The modern-day equivalent of such a sentence is not the banishment of a person but an exclusion order passed on those whose appearance within society might foment civil unrest, such as the orders passed in Britain on Sinn Fein leader Gerry Adams and the Nation of Islam figurehead, Louis Farrakhan. The main form of exile which remains endemic within global society today, however, is the sentence that the emperor Tiberius first introduced in AD 23,

⁸Strachan-Davidson, J.L., *Problems of the Roman Criminal Law* (Oxford: OUP, 1912), 30; Mommsen, T., *Romisches Strafrecht* (Graz, 1955), 72.

deportatio, or deportation⁹. It was a measure that radically changed the sentence of exile and it remains one of the most extreme sentences passed by the Home Office in Britain, often provoking protests from those affected and their supporters. The third penalty is that of *relegatio*, which has evolved into a sense of consignment to an inferior position¹⁰. It was the least severe of the three penalties of exile during ancient times and the modern-day usage of the term relegation reflects its more moderate effect, in that one of its most frequent uses is in conjunction with sport when a team or person is transferred to a lower division. A passage in Catullus gives an indication of the way *relegare* is seen as a moderate form of punishment: *ut Triviam furtim sub Latmia saxa relegans/ dulcis amor gyro devocet aereo* (Cat. 66. 5-6). Catullus' use of the word *relegans* indicates how freely it was used in Republican times when it was still only an administrative measure rather than the criminal penalty it became under Augustus.

VOLUNTARY AND INVOLUNTARY EXILE

The thought of "home" is the prerequisite for an exile and it has been postulated that Dante chose Virgil as his guide in the Underworld because, "like Aeneas, he was himself a great exile"¹¹. The mythical flight of Aeneas has often been discussed in terms of whether his leaving Troy was a voluntary or

⁹In some cases of exile, particularly *deportatio*, the banishment was accompanied by *damnatio memoriae*. This is attested by Modestinus, who states: *Eorum, qui relegati vel deportati sunt ex causa maiestatis, statuas detrahendas scire debemus* (Digest 48.19.24). The air of finality about such circumstances is redolent of Orwell's depiction of victims of a totalitarian state in fiction and the fate of "The Disappeared" in El Salvador in fact. Roman exiles, who were turned into *peregrini dediticii* under the later Julio-Claudian emperors' implementation of *deportatio* may be viewed as an allegorical antecedent of the Salvadorans.

¹⁰For example, when an author impresses the importance of a piece of writing: "None of the features outlined above relegates the story to a mere reflection of its narrator and her preoccupations". See James, P., *Unity in Diversity: A Study of Apuleius' Metamorphoses* (Hildesheim: Olms-Weidmann, 1987), 125.

¹¹Hightet, G., *The Classical Tradition: Greek and Roman Influences on Western Literature* (Oxford: OUP, 1985 ed.), 78.

involuntary act¹². In the opening lines of the epic, Virgil describes Aeneas as *fato profugus* (*Aeneid* 1.1-2). Donatus (*in Aeneidos Commentaria* 1.2) remarks that Aeneas, having left his homeland, was carried into foreign lands "as if an exile", but Isidore of Seville (*De differentiis verborum* 1.452) proposes a compromise view when he states that Aeneas was *profugus voluntate, exul necessitate*. These interpretations overlook the fact that Virgil presents Aeneas' arrival in Italy as a homecoming. In the third book of the *Aeneid*, Apollo declares: *Dardanidae duri, quae vos a stirpe parentum/prima tulit tellus, eadem vos ubere laeto/accipiet reduces. antiquam exquirite matrem./hic domus Aeneae cunctis dominabitur oris/et nati natorum et qui nascentur ab illis* (*Aeneid* 3.94-98). In this respect, Aeneas is depicted as a double-exile - first from Italy where the Trojan royal family had their origins and then from Troy itself. The destruction of Troy by the Greeks conveniently eradicates the need for Aeneas to return there or to long for it in the way that an exile might. The epic hero is driven by a sense of destiny not to return to the home from which he has been banished by the forces of war, but, through the guidance of the gods, to rediscover his ancestral home and to become the progenitor of an even more illustrious race.

The dichotomy over Aeneas' status as a willing or unwilling exile is echoed in the contrasting idea of exile as a voluntary undertaking during the Republic and as an involuntary sentence passed on individuals during the early principate. But first, an analysis of Roman exile has to take account of two main sources of evidence in the depiction of a banished person: the exile as conveyed in the historical texts and the exile as a literary persona. The two do not easily marry. Exiles who are mentioned by historians in the primary sources

¹²Connected to this notion is the *topos* that Troy was the place where Rome began. See Kraus, C.S., "Topoi and Refoundation in Livy Book V," *Transactions of the American Philological Association* 124 (1994): 281.

are seldom seen to articulate their feelings, just as literary figures who do write about their exilic experience are given scant attention in the historical sources¹³. As the form of government changed during the late Republic and early principate, so did reaction to exile. Republican exiles were able to take themselves virtually anywhere in the Roman world, barring, of course, Rome and Italy. This changed greatly during the early principate when the locations for exile were dictated by the emperor. Whereas the Republican exiles could socialise in their places of banishment, the image of the exile during the principate was a harsher one of isolation. Even under the most trying of circumstances, humans need to associate and identify with the people who make up their environment. The sentence of exile during the principate, in many ways, deprived them of that opportunity, whether the reason might have been social or linguistic. Ovid is the prime example. He is surrounded by the inhabitants in Tomis, yet our overriding view is of him as a tragic figure unable to speak their language and totally alone in his suffering.

During the Republic, a person went into exile almost invariably as a result of his criminal behaviour. As we shall see later in this chapter, exile was to become the ultimate penalty one could choose to undergo to avoid facing a harsher punishment for serious crimes, such as being caught using extortion in a province or oppressive and violent measures against a local population¹⁴. There are many instances of governors being obliged to go into exile after their criminal activities, rather than face a worse penalty. One of the main incentives for governing a province was to augment one's wealth, just as modern

¹³Ovid is not even mentioned in the texts of Tacitus, Suetonius and Dio. See the later chapter on the poet for more detail.

¹⁴Juvenal invokes the memory of the exiled Marius when he states: *exul ab otava Marius bibit et fruitur dis/iratis, at tu victrix provincia ploras* (Juvenal 1.48-50). Green's rather free translation (*Juvenal: The Sixteen Satires*, London: Penguin, 1977, 66) captures the satirist's sentiments, but curiously fails to identify Marius: "A provincial governor, exiled for extortion, boozes and feasts all day, basks cheerfully in the wrathful eye of the Gods; it's still his province, after winning the case against him, that feels the pinch."

politicians reap the financial benefits of their position by taking on lucrative directorships and consultancies. Naturally, many governors overstepped the mark in terms of exacting money, whether by overtaxing the inhabitants or by plundering wealth within the province¹⁵. The risks of being detected and called to account were fully understood, just as the risks have been known to modern-day oppressive leaders, such as the Ugandan President Idi Amin and the East German dictator Erich Honecker¹⁶. If a Roman governor were caught and convicted of maladministration on a large scale, the punishment would result in a fine or a capital sentence, which could be avoided by the guilty party going into exile, just as modern dictators attempt to evade global opprobrium and punishment by going into exile.

As the later chapters of this study will show, the sentence of exile during the principate was altogether different and this correlated with the enormous change in the political climate. The popular assemblies were emasculated by Augustus and abolished by Tiberius, and the last vestiges of the Republic could hardly exist without those legislative and electoral bodies¹⁷. The laws, although not invalidated, proved powerless against the will of the *princeps*. If such power and the consciousness of it, were combined with depravity, the awareness that prohibitions were ineffective might easily inspire the belief that everything was permissible¹⁸. Inevitably, such a climate led to

¹⁵An early example is that of Marcus Matienus, who was praetor in 173 BC and obtained the province of Hispania Ulterior, which he plundered and oppressed. On his return to Rome he was indicted by the provincials and went into exile at Tibur (Livy 41.28; 43.2). Also, in 114 BC the consul Gaius Porcius Cato, who had already been indicted for extortion in Macedonia in 114 BC, was condemned for accepting bribes from Jugurtha in Africa. To avoid punishment, he went into exile at Tarraco and became a citizen of that town (Cic. *pro Balbo* 11).

¹⁶The Ugandan dictator, who is perhaps the most despised and derided exile in the modern world, fled initially to Libya after his overthrow by Tanzanian forces in 1979, but has found permanent comfortable exile in Jeddah as the guest of the Saudi Arabian royal family. Honecker ruled East Germany for 18 years, built the Berlin Wall and ordered the murder of anyone who tried to escape to the West. He died in Chilean exile in June 1994.

¹⁷See Mellor, R., *Tacitus* (London: Routledge, 1993) 104.

¹⁸See Wirszubski, CH, *Libertas as a Political Idea at Rome during the Late Republic and Early Principate* (Cambridge: CUP, 1950) 135.

the concomitant features of sycophancy and treachery among the senatorial ranks. For example, even Caligula learned to become obsequious to Tiberius while the other members of his family suffered exile and death. He, in turn, became an even crueller tyrant. Caligula cleverly used *dissimulatio* to avoid the fate of his siblings, whose doom indicated that birth alone could single a person out as a target. Under the principate, the *honestiores* were forced to rely entirely on the emperor's *clementia* whereas in Republican times they would have looked to the *iustitia* of the senate and courts. The power of the *princeps* became absolute, and being absolute, it might at any time become autocratic, despotic or tyrannical. There was now little to prevent absolutism turning into despotism¹⁹. This manifested itself in the arbitrary sentences of exile and death during the Julio-Claudian Dynasty, which were passed on often extremely dubious pretexts of safeguarding national interests. In truth, they were safeguards against any party, innocent or not, even contemplating the seizure of power from the *princeps*. Since the power of Rome was invested in one omnipotent individual, it is easy to understand why the opposition came principally from senators, nobles and intellectuals and was directed against the person of the emperor. The aristocracy was slowly being dissolved through the actions of the emperor and important members of senatorial families were either being killed, through execution or enforced suicide, or they were exiled. There is no record of how a prominent Roman might have made contingency plans if he were falsely accused and forced to go into exile, though many, especially those with any sort of claim to the throne, must have become increasingly aware of the need to do so.

¹⁹Sandys, Sir J. E. ed., *A Companion to Latin Studies* (Cambridge: CUP, 1921), 339-340, states: "The penalty of death was carried out against the Roman citizen with continually increasing frequency and was extended to crimes of comparatively small importance. Nor could it be escaped, as in Republican times, by voluntary exile. Exile in several forms became an ordinary punishment."

SOURCES AND OTHER WORKS

There are three clearly defined methods of writing about exile in the primary sources. The first is the direct testimonies of those who suffered exile, Cicero, Ovid and Seneca. The writing of Cicero and Ovid, in particular, can be read as intensely personal, allowing rare insights into the psyche of the exiled Roman. Even so, Ovid, and later Seneca, also rely on stock commonplaces to elaborate on their plight and any analysis of their time in exile must take account of this²⁰. There is no such document as the equivalent of a modern-day diary, which would have more clearly indicated the three main writers' anxieties, and so much of the reality of quotidian existence is omitted.

The second method is seen in the historical narratives, which can vary greatly in length. These are found in Tacitus, Suetonius and Dio, though the books of Tacitus for Caligula's reign and part of the reigns of Claudius and Nero are missing. Our estimation of how exile was used as a weapon to suppress members of Roman society would be much greater if we had access to the books of Tacitus that cover the reign of Caligula and the last two years of Nero's principate²¹. The hiatus is an impediment to our fuller understanding of how exile was implemented in terms of the number of people banished and where exactly they were consigned after the death of Augustus²². In the cases

²⁰Such as the practice of "transference", where physical or sociological characteristics which one writer ascribes to a remote place are borrowed by a later writer and transferred to another people or location altogether. This may happen many times until there grows up a stock of commonplaces, descriptive and characterizing traits which may be applied indifferently to any people being described. See Goodyear, F.R.D., *Tacitus* (Oxford: OUP, 1970), 9.

²¹McAlindon, D., "Senatorial Opposition to Claudius and Nero," *American Journal of Philology* 77 (1956) 129, makes the point that if the sources were more enlightening regarding family relationships many other accusations and condemnations of the period would appear to have arisen from more complex causes than those given.

²²See Braginton, M., "Exile Under The Roman Emperors," *Classical Journal* 39 (1943) 391ff, looked at the cases of approximately 150 exiles for her study and makes the point that it is reasonable to assume that only a few of those who were exiled [using the term exile non-technically] are known.

of exile that he does write about, Tacitus provides a full rhetorical set-piece with the drama of the alleged crimes, court procedure, and the sentence of banishment as the climax. More importantly, in many cases he actually names the location for exile. Suetonius' anecdotal style, on the other hand, is less reliable, often dispenses with the sheer forensic nature of a case and occasionally names a place of exile. Dio remains the most vague of the three - often because his works are epitomised - and although he does write about victims being exiled to islands, he gives little or no indication of where the places might be. A constant *caveat* is the amount of bias used by the ancient historians in their depiction of events, particularly if they are driven by "conviction that autocracy had infected and destroyed the well-being of the state"²³. For example, the point has been made that Tacitus writes of "continual slaughter" as a result of the treason trials, yet the historian records fewer than a hundred such trials during Tiberius' twenty-three year reign²⁴. Suetonius, too, can be guilty of oversimplifying events purely because he wishes to show that the hated Roman rulers were detested by all ranks of society²⁵. There is the additional problem that, once the fact of a victim's punishment is conveyed, there is little or no investigation into his means of existence. In the majority of cases, the victim suffers a twofold exile - not only from life in Rome, but also from any further reference in the historical sources, unless he makes a spectacular return to the city for one reason or another, as is seen in the cases of Vibius Serenus or Publius Suillius Rufus. An extremely useful single historical example of exile is found in the much-ignored text of the Jewish historian Philo on the *deportatus* Avillius Flaccus, which is longer than the accounts of other exiles that occur in the three main historical sources. Though written from a biased standpoint, it clearly demonstrates the effect of

²³See Goodyear, F.R.D., *Tacitus* (Oxford: OUP, 1970), 7.

²⁴Mellor, R., *op. cit.*, 43.

²⁵See Wallace-Hadrill, A., *Suetonius* (London: Duckworth, 1983), 113ff.

deportatio and the harshness of Caligula regarding exiles in general. Supplementary evidence for exile occurs in a variety of authors including Polybius, Velleius Paterculus, Plutarch, Pliny the Younger and Sallust. Other mentions of exile occur in poets such as Horace and Juvenal. The historical accounts rarely achieve the sense of pathos inherent within the writings of those who suffered exile themselves and there is a distinct lack of sympathy when they are compared to stories of modern-day exiles. Even when Tacitus writes about an exile's piteous treatment, such as in the account of Octavia's cruel treatment at the hands of Nero, it is more likely to be intended to provoke *odium in principem* in his readers than to arouse sympathy for the victim.

The third type of exilic writing is philosophical and it argues against the stigma which attaches itself to a person who suffers the sentence of exile. The earliest example is Teles, who was a Cynic philosopher in the third century BC. He wrote a treatise on exile which is preserved in epitome. In Teles' view, exile harms one neither physically or spiritually, nor does it bring disgrace. Later writers who followed this line of consolatory thought and concentrated more on the metaphysical aspects of exile include Musonius Rufus, Plutarch, Seneca and Favorinus. Their contemplations were more abstract and involved such ideas as the Empedoclean doctrine that human life on earth is an exile from heaven. Their writings are often exercises in rhetoric, which purport to reconcile the exile to his lot by indicating whatever positive thoughts could be evoked from his situation. For example, Plutarch combats the rebuke of an exile by stating: "But 'exile' is a term of reproach. Yes, among fools, who make terms of abuse out of 'pauper', 'bald', 'short', and indeed 'foreigner' and 'immigrant'. But those who are not carried away by such considerations admire good men, even if they are poor or foreigners or exiles" (Plut. *De Exilio* 607). The philosophers' argument is that the evil of exile lies in opinion only. It is man who allows himself to be laid low by the sentence of exile through his

perception of it as a pejorative condition. If a person alters his own judgement of exile, it can be seen as much lighter and easier to bear. This line of argument, as will be seen, correlates with the changing view towards the sentence of exile in the victim, which occurred in the Julio-Claudian Dynasty.

The exile's significance for the country of his origin is important. But here the political aspects are far less important than the cultural ones. The creative influence of an exile depends on whether we measure it within the country where the exile has settled or within the native land which he has left. This is clearly seen in Ovid where his place of exile, which was to become Romania, eagerly adopted the Roman poet as its own. It is interesting in modern times that whenever there has been a thaw - a relaxation in the usually centrally directed denunciation and hate-campaigns against exiles - the cultural authorities of the deserted or forsaken country invariably have felt that they would do well to fructify the culture of their country with a "re-transfusion" of the ideas and works of the exiles. For example, the Hungarian composer Bartok gained enormous popularity within his native Hungary, though he died in exile in the United States and his left-wing liberalism would have brought him into early conflict with the post-1945 Communist regime, had he returned. Purely in terms of influence, the fates of Ovid and Seneca have played a similar role in providing models for succeeding generations of exilic writers. Even during their own time, the plight of the two Roman writers had such an effect that anonymous authors sought to emulate their style and their attitudes in exile to produce the *Consolatio Ad Liviam*, purportedly by Ovid, and the *Epigrams* that Seneca was supposed to have penned on Corsica²⁶. Ovid's cross-cultural influence also led to the depiction of his exile by the nineteenth century English

²⁶Later writers who were inspired by Ovid will be mentioned in the chapter on him.

artist J.M.W. Turner in the 1838 work *Ancient Italy: Ovid Banished from Rome*²⁷.

Most writers have taken Roman exile for granted and have tended to devote their studies to what have seemed to be more important rubrics. Classicists writing at the turn of the twentieth century occasionally considered exile and scholars such as Mommsen, Hartmann, Hasler and Strachan-Davidson devoted sections of larger works to an analysis of it. Later scholars, such as Garnsey, have also added to our interpretation of exile. Their interest has been actuated in the main, however, from the legal perspective rather than in terms of the emotional and experiential effects of exile. Thus, their conceptualisation of the effect of exile is seen through an analysis of what occurred in the courts or before the popular assemblies, rather than concentrating on how the sentence of exile affected individual persons. They have also tended to avoid any investigation into how the increasing despotism of the emperors correlated with the incidence of exile.

The subject of exile has often been misunderstood or misinterpreted by commentators. Cicero, Ovid and Seneca all suffered criticism for their attitudes in banishment. But as we enter an age where a more enlightened approach is being taken to ancient experiences, we can measure such sufferings from a less outmoded and unrelenting point of view than previous scholars have done, from the Victorian age to the post-war era. By putting the exilic experiences of Cicero, Ovid and Seneca within the wider context of Roman events and attitudes towards banished individuals, one can get a fuller understanding of their vicissitudes, particularly since their methods of dealing with exile are often very much in keeping with their characters - of a politician, poet and

²⁷Most recently displayed at the "Imagining Rome: British Artists and Rome in the Nineteenth Century" exhibition held at the Bristol City Museum and Art Gallery from May 3-June 23, 1996.

philosopher. Combine the three elements and we have a wider picture, divide them and the reader is presented with single frames taken at different times during the evolution of Roman exile. Recent studies have involved critiques of exilic writers, especially Ovid. This is probably because Ovid's exile has been viewed much more as an integral part of his literary life than the letters of Cicero or the *consolationes* of Seneca. Ovid's exile fittingly turned the poet himself into a figure of romantic tragedy, while the exile of Cicero is mostly viewed as an aberration in a political career and Seneca's banishment is only fleetingly mentioned even though he spent as long in exile on Corsica as Ovid did in Tomis. Williams and Claassen, in particular, have opened up new vistas in terms of interpretation of Ovid's works from Tomis. Such studies are both most welcome and illuminating, especially since even today there are a surprising number of errors concerning the subject of exile and, in particular, the banishment of Ovid. Part of the misunderstanding has been caused by the location of his exile which was considered something of a no-man's-land, not only during Ovid's time but much later too. There is also the fact that Romania, under Ceausescu's dictatorship, had remained closed to Western scholars for many years. A recurring error found in modern scholars is their assertion that Ovid was exiled by Augustus to an island. Those who have made mistakes in this way range from the early twentieth-century historian Rice Holmes to the late twentieth-century Booker Prize-winning author Ben Okri²⁸. Shuckburgh errs over the date of Ovid's exile²⁹, while Simpson refers to the *Ars Amatoria*, but glaringly omits the *error*, which was the other main reason for the poet's

²⁸Rice Holmes, T., *The Architect of the Roman Empire* (Oxford: OUP, 1931), 124, writes of Ovid suffering from "an imperial edict, banishing him to an island, Tomi, in the dreary region through which the Danube discharged its waters into the Black Sea". Okri's *faux pas* occurred in a review of Christoph Ransmayr's *The Last World*, which he supplied for *The Guardian* in 1990: "The reason has always been something of a mystery; the nature of his exile and death on the island of Tomi on the Black Sea has also been shrouded in half-glimpses."

²⁹Shuckburgh, E.S., *Augustus* (London: Unwin, 1903), 243, states: "In AD 9 his granddaughter Julia was discovered to have followed her mother's example...In the same year the poet Ovid was banished to Tomi, forty miles south of the mouth of the Danube." The correct date is AD 8.

banishment³⁰. Even Crook is mistaken when he cites Ovid's place of banishment as an example of a destination for *deportatio*³¹. On the sentence of exile itself, Carcopino vaguely writes: "In the case of grave misconduct, they were spared punishments which would tend to degrade their position in the eyes of the people and generally got off with banishment, relegation, or losing their property."³² Carcopino seriously underestimates the devastating effect that exile would have had on a member of the Roman aristocracy and shows little conception of, or care for, the different forms of exile. Buckland describes *deportatio* as a "punishment introduced by Augustus and gradually superseding exile (*aquae et ignis interdictio*)"³³. This is not the case, since, as far as the sources indicate, Augustus introduced his latest rules on exiles in AD 12 - two years before his death - and *deportatio* was not a part of them nor had it been officially included as a legal sentence up to that time³⁴. This study in its own way attempts to clarify these issues and provide more of a synthesis between the political and the literary effects of exile.

CONDITION OF EXILE

The reaction of a Roman to the sentence of exile is not easy to gauge and our own interpretation of it is coloured by modern sensibilities. There is only one report to describe how the condemned person responded immediately following the passing of sentence - that of Paconius Agrippinus (Epictetus

³⁰Simpson, J. ed., *The Oxford Book of Exile* (Oxford: OUP, 1995), 7.

³¹Crook, J.A., *Law and Life of Rome* (London: Thames & Hudson, 1967), 272, writes that the second main form of exile was "*deportatio*, a positive and much more severe form, involving loss of citizenship and banishment to some specific place (Tomi, Pandateria and so on); this latter was not within the competence of provincial governors". Ovid's exile was a case of *relegatio*.

³²Carcopino, J. tr. by Lorimer, E.O., *Daily Life in Ancient Rome* (London: Penguin, 1978), 66.

³³Buckland, W.W., *A Textbook of Roman Law from Augustus to Justinian* (Cambridge: CUP, 1966), 97.

³⁴Millar, F., *The Emperor in the Roman World* (London: Duckworth, 1977), 167, and Jolowicz, H.F., *Historical Introduction to the study of Roman Law* (Cambridge: CUP, 1952), 412-413, agree that the introduction of *deportatio* occurs in AD 23 during the reign of Tiberius.

Dissertationes 1.1.30ff). The next closest we get is in the accounts of Ovid and Avillius Flaccus. There is a suggestion from the accounts of Ovid and Cicero that the actual departure into exile would have been undertaken at night when few would have been able to witness the disgraced person as he hesitatingly set off on the route from which he was unlikely to return. One of the many tropes involving exile that we encounter is the fraught journey into banishment. In most cases, the journey includes a sea voyage, which is almost invariably beset with difficulties such as storms or the sea turning the ship back to Italy. The Roman exile was unable to find comfort in his plight from looking at photographs of the loved ones he had left behind. Mementoes, letters and pictures had to suffice. A papyrus from the second century AD provides a good example. In it, a recruit at Misenum named Apion writes to his father, Epimachus, informing him of his safe arrival and enquiring as to the well-being of his family. He adds: "I have sent you by Euctemon a portrait of myself." (Sel. Pap. I 112). If the desire to keep one's image present in the minds of one's family is exemplified here, the need must have been much greater for someone in exile. The richer exiles may have taken busts, statues or pictures of their family members to their place of exile. There is also the poem of Ovid which describes how the addressee keeps the poet's memory alive by wearing a ring with his image on it (*Tristia* 1.7). Obviously, this could be a reciprocal arrangement, by which Ovid could keep an image of the person he has left behind. Rings were useful reminders of a friend or loved one and there are several cameos in the British Museum that seem to have been given at the point of departure or separation. Such rings bear Greek inscriptions which translate as "Remember my love wherever you are", and the bezel has a right hand touching an ear (No. 3694 in Walter's catalogue). There are several others with the same symbol, but just the words "Remember" or "Don't forget"³⁵.

³⁵Walters, H.B., *Catalogue of the Engraved Gems and Cameos in Greek, Etruscan and Roman Times in the British Museum* (London, 1926), Nos. 3692-3695. None of the rings in the British Museum is

Certainly, as the period of exile lengthened, it would have been natural for the mind to begin playing tricks on the memory and such artefacts would have become greatly valued. For those who were unable to gather such effects together before going into exile, eventually even the imagined faces of those closest to the exile would have changed in his remembrance with the passage of time or, worse, they might even have been forgotten. This "unknowing" of whether one will ever see the places or faces that one dearly loves or associates with "home" is one of the worst aspects of exile. The only positive response to exile is the banished person's hope of recall. Without this, he would have been lost. Even the Stoics with their belief that exile was merely a *loci commutatio* must have fallen victim to a sense of powerlessness and frustration from the fact that they were no longer in control of their own destiny. The sentence of exile, as it occurred in the Julio-Claudian Dynasty, clearly emphasises this sense of powerlessness. As opposed to the options open to exiles during the Republic, the banished person was obliged by law to remain in one place³⁶. If he wandered from this place, he would have been subject to harsher punishment. This induces an immediate sense of restriction in terms of movement, which would have had a deep psychological effect on the individual's sense of freedom. If one aligns this to the sense of dislocation, a feeling of not belonging to the community and the sheer foreignness of the place of exile, the effect becomes clear. The *relegatus* generally retained his civic rights, but the *deportatus* was stateless. Hope of recall was almost non-existent and the incapacity to identify with a civic body would have left the individual in a state of limbo. The *deportatus* finds himself in a false situation: alone, he does not choose to be on his island and, conversely, the people of that island have not invited him. In this way, the exile has to decide whether to try

dated or provenanced, but they could well be 1st century AD. There are also rings with affectionate Latin inscriptions, e.g. "*parum te amo*", but they do not seem to be specifically connected with remembrance at parting like the ones with the Greek inscriptions.

³⁶See chapter on Augustus.

to associate amicably with his fellow islanders or to secede from the society in which he has been placed, as can be seen in the account of Avillius Flaccus³⁷. No matter how warm the climate of his place of exile might have been, it could never replace the inner warmth of knowing he was at home where he belonged. Another trope is the thought that, should the person die in exile, his shade would wander forever in the cold environment of his place of banishment. The idea of helplessness on his island would have had severe psychological consequences on the individual, yet there is no record of any banished Roman committing suicide in his place of exile. Cicero and Ovid both record how they were dissuaded from taking their own lives, but that is the closest anyone comes to suicide in the primary texts. There is a possibility that Iullus Antonius might have been exiled and took his own life after he was condemned for his involvement with Augustus' daughter, but it is just as likely that he was executed³⁸. Other factors also play their part in the sense of alienation for an exile. Such considerations include the restriction on *deportati* from wearing togas in their place of exile: *carent enim togae iure, quibus aqua et igni interdictum est* (Pliny, *Epistles* 4.11). Clearly, a Roman without his toga is like an army officer without his uniform³⁹. It is one of the most emphatic signs that he has been branded an outlaw from Rome⁴⁰. Even though the enforcibility of such a rule might be doubted, the exile who dared to wear his toga would have always been aware of the contravention and this in itself would affect his mind with regard to his banishment. A clear example of the toga restriction is seen in the depiction of Licinianus living on Sicily as an alien, giving lessons in elocution and dressed in the Greek *pallium* (Pliny, *ibid.*). Time is another

³⁷See chapter on Tiberius and the Later Emperors.

³⁸See chapter on Augustus.

³⁹One is put in mind of the wrongly accused French exile Alfred Dreyfus being publicly degraded by having the gold braids from his cap and uniform slashed, the regiment numbers stripped from his collar, the brass buttons ripped from his tunic and the sword broken over a sergeant major's knee.

⁴⁰It may be coincidence, but the restriction - enforced or psychological - on the exile's wearing of the toga may have had something to do with the fact that the Romans marked lucky days with the colour white.

important factor and eventually plays its part in softening the blow of exile - but only after a significant number of years. The modern Hungarian exile Peter Halasz, who spent his banishment in England, has outlined how the passing of the years affects a person: "The exile must leave so many things to Time. The invocation of the magic numbers begins practically at the moment of his landing. 'The first three years,' they say, 'oh yes, the first three years are extremely hard.' And later, 'The favourable turn in the economic situation usually comes in the fifth year.' Still another view: 'Do not even hope that you can build a new life in less than ten years.'"⁴¹ There is more than a suggestion of such thoughts arising in Ovid's later exilic poetry from Tomis, where he seems to be slowly accepting that a return to Rome seems extremely remote and he confesses that he has been too hasty in his dismissal of his hosts who have shown him much kindness: *molliter a vobis mea sors excepta, Tomitae,/tam mites Graios indicat esse viros* (*Ex Ponto* 4.14.47-48).

HONOUR AND SHAME

Heaviest among the baggage that an exile takes with him to his place of banishment is a sense of shame, even if he might be quite innocent of the crime of which he has been convicted. The exile's feelings of bereavement are darkly coloured by guilt and the struggle to find a reason for being cast away. This has been a time-honoured feature of banishment and it is detectable in the texts of Greek writers such as Euripides, whose disdain of exile is seen clearly in the *Phoenissae* (388-389):

Jocasta: What is the loss of country? A great ill?

Polyneices: The greatest; and no words can do it justice.

⁴¹Halasz, P., *Masodik Avenue* (Toronto: Patria, 1968), 167.

During the Republic, the disgraced exile was supposedly fleeing from the wrath of the gods to whom he would have been sacrificed by his tribe. He had committed a serious crime and was running away from the punishment. Since the death penalty had become redundant during the Republic, the greatest risk the guilty Roman faced was having to go into exile. As we shall see below, the places to which an exile of the Republic could take himself were suited to a comfortable existence, yet the stigma of being an exile remained. In the *De Rerum Natura*, exiles are scornfully mentioned by Lucretius: *extorres idem patria longeque fugati/conspectu ex hominum, foedati crimine turpi,/omnibus aerumnis adfecti denique vivunt* (3.48-50). Lucretius' depiction of these desperate men indicates that they have been condemned in a *turpe iudicium*, which traditionally involved the attendant disgrace of *ignominia* or *infamia*⁴². From their attitude, we can discern that dishonour is more frightening than death, but they nonetheless cling to life, even amid the most dreadful circumstances. It is here that Lucretius tellingly remarks: *eripitur persona, manet res* (3.58). Thus, exile is seen as a time when a man's true feelings become visible⁴³. The mask is torn away and the actuality remains. The pejorative sense of banishment is also revealed by Cicero, who let out that it was a rhetorical trick to call people who went to political meetings "exiles, slaves, madmen"⁴⁴. It may have been that the very thought of exile contained some shame-inducing element, to which a more sensitive soul might have reacted with a degree of sympathy⁴⁵. This is possibly revealed in the Roman tradition of not mentioning contemporary exiles. Strachan-Davidson comments:

⁴²See Bailey, C. ed., *Titi Lucreti Cari: De Rerum Natura Libri Sex* (Oxford: OUP, 1947), 997.

⁴³See Segal, C., *Lucretius on Death and Anxiety: Poetry and Philosophy in De Rerum Natura* (Princeton: Princeton University Press, 1990), 23.

⁴⁴Brunt, P.A., *Social Conflicts in the Roman Republic* (London: W. W. Norton & Co, 1971), 137.

⁴⁵Donatus' *Life of Virgil* records that Augustus offered the poet the property of a man in exile, but Virgil, probably mindful of the land confiscations to which he alludes in the *Eclogues*, refused to accept it.

politeness be reminded of the *calamitas exilii sui*"⁴⁶. It is a recurrent trend of Roman writing that no banished person contemporary with the author's time is mentioned as being in exile. The only instances of exile being mentioned by a writer is in the autobiographical sense, e.g. Cicero, Ovid and Seneca, or, when a writer mentions exiles by name, he refers to the past, such as when Seneca cites exiles of the Republic in the *Consolatio ad Helviam* (9.4ff). Even the possibility of recall for an exile was not free from the taint that his banishment had brought. The *exulum reditus* is named by Cicero, along with *tabulae novae*, among the extreme of horrors to be apprehended from the Revolution. The jurist Servius Sulpicius, who had appeared in Caesar's senate in 49 BC, and whose son had fought in Caesar's army, found in the restoration of exiles the last straw which must break down his endurance. He declared that if this came to pass, he could not remain in Rome (Cic. *Att.* 10.8.2). Cicero himself was subjected to insults on his return from his own exile, such as when Clodius mocked him by asking "*Cuius civitatis es?*" (Cic. *de Haruspicum Responsis* 8.17). A man's own *existimatio* was built upon the influence he could wield as well as his personal sense of achievement in the *cursus honorum*. Exile negated all that and left him denuded of civic *virtus* and cut adrift from the firmly anchored cultural and social elite. When Horace wrote: *Patriae quis exsul/se quoque fugit?* (*Odes* 2.16.19-20), he was articulating the Republican feeling that, even though an individual might be in control of his circumstances and would choose voluntary banishment, he was still unable to come to terms fully with his decision to exile himself. How much harder it would have been under the emperors to have to leave Rome under threat of death, especially if the charge which led to the banishment had been fabricated.

⁴⁶Strachan-Davidson, J.L., *op. cit.*, 27.

The sense of shame was still concomitant with the punishment of exile during the principate, but its strength gradually began to wane because the despotic use of power meant that even the innocent were often being turned into victims. The possibility of having a sentence of exile passed on one must have grown within the psyche of the Roman aristocrat in much the same way that a Jew living in Germany of the Thirties must have prepared himself for the possibility of transportation to a concentration camp. A resolve builds within the individual under such circumstances and this stance is reflected in the philosophical comments of Favorinus, Musonius and Plutarch, who opposed the charges that Euripides brought against exiles in the *Phoenissae*. While exile is something appropriate to urban elites, fear of it is still discernible in vernacular sources which would have circulated among a very different social group. One has only to look at sections from the texts of Astrampsychus: "Shall I be a fugitive?" (P. Oxy. 12.1477, Col. i. 86), "Will my flight be undetected?" (Col. i. 89), "Am I to be separated from my wife?" (Col. i. 90), "You will not see your country" (P. Oxy. 38.2832, Fragment A 9.65), "Your flight is not to be undetected" (P. Oxy. 38.2833, Col. ii. 13)⁴⁷, or Artemidorus: "For the mirror belongs to earth, whatever the material it may have been made from. But for the men it indicates emigration, so that they will see their faces in another land" (*Oneirocritica* 4.27) and "A man dreamt that he had a mouth and large, beautiful teeth in his rectum through which he spoke, at, and did everything that is usually done by a mouth. Because of certain unguarded remarks, the man had to flee his homeland and went into exile. I have omitted the reasons, since what happened was probable and likely" (*Oneirocritica* 5.68)⁴⁸. The fact that these quotidian texts mention exile so frequently suggests how separation or exile from one's place of origin was a very real fear in the

⁴⁷Browne, G.M., *The Papyri of the Sortes Astrampsychi* (Meisenheim am Glan: Verlag Anton Hain, 1974), 22, 36 and 56.

⁴⁸Artemidorus, tr. by White, R.J., *The Interpretation of Dreams: Oneirocritica* (New Jersey: Noyes Press, 1975), 198 and 238.

minds of many people and not merely the Roman elite. Astrampsychus' concern over whether he will be separated from his wife highlights another element of exile - the importance of marital relationships. Recent scholarship has pointed to a so-called "new conjugality" discernible in marital relationships. The arguments of Veyne and Foucault, based on literature of the early imperial period, suggest that there was a perceptible shift in the debate on relationships between men and their wives and that they appear to have become much more important than they had been in the late Republic⁴⁹. One has only to compare the disintegration of Cicero's relationship with his wife, which, from the evidence of his letters, seems to have been significantly exacerbated by his exile, with the actions of several wives during the Neronian principate, who accompanied their husbands into banishment.

What occurred under the principate was the eradication of self-determination as far as an individual's exile was concerned. Yet still the senators remained in Rome and tried to maintain their reputations and their style of life, whether through their adoption of sycophantic attitudes towards the *princeps* or through blind fear. Plutarch comments on how those who remained at home were compelled to bear the "folly of the mighty" just as much as those who went into exile. He adds: "Indeed, those who remain behind are often in even greater terror of men who wield unjust power in cities through chicane or violence than those who have taken their departure" (Plut. *De Exilio* 606). As with leading politicians in today's society, the Roman senator depended on the support of groups within the framework of government rather than simply on himself. Existence within Roman society at

⁴⁹See Veyne, P. ed., *A History of Private Life: From Pagan Rome to Byzantium* (Cambridge, Mass.: A. Goldhammer, 1987) 33-49; and Foucault, M., tr. by Hurley, R., *The Care of the Self: The History of Sexuality, Volume 3* (London, 1984) and Foucault, M., tr. by Hurley, R., *The Use of Pleasure: The History of Sexuality, Volume 2* (London, 1988). See also Montserrat, D., *Sex and Society in Graeco-Roman Egypt* (London: Kegan Paul International, 1996) 86-87.

the highest level relied on the interdependency of familial ties, patronal influence and political connections. The sentence of exile brought about the severing of such ties of influence and led to isolation in the same way that a disgraced modern politician is often demoted from his ministerial position and sometimes cut adrift from his party.

So, loss of *dignitas*, *existimatio*, wealth and social standing all contributed to the sense of shame. But of almost equal importance to the Roman was the fear of what the afterlife might bring. The Roman believed he had to be buried with honour in his own native soil to reach the world beyond. The possibility of this not occurring would have filled the exile with foreboding. Cicero played on this emotive issue in his defence of Milo in 52 BC, when he states: *corporis in Italia nullum sepulcrum esse patiemini?* (*pro Milone*, 38.104). He had also emphasised the importance of a person not being able to be buried with his fathers in the previous case of Rabirius in 63 (*pro Rabirio*, 13.37) and in that of Sulla for 62 (*pro Sulla*, 31.89). It is a natural reaction of any person to want to be buried within the soil of one's own country. An example of this can be seen in the earliest historical example of exile, which has been ascribed to the flight of the Egyptian Sinuhe in about 2,000BC⁵⁰. He was about to be seized by the authorities and so fled from the kingdom and spent a substantial part of his life among various foreign races. However, a combination of the bitterness of exile and the thought that he would have to be buried in a foreign land caused Sinuhe, as an old man, to humble himself in order to obtain the pardon of the cruel tyrant from whom he had fled⁵¹. This early example of exile shows how strongly the Egyptians felt that interment away from their native land did not constitute a proper burial. This can be

⁵⁰See Tabori, P., *The Anatomy of Exile: A Semantic and Historical Study* (London: Harrap, 1972), 43ff.

⁵¹The monarch, Sesostri I, showed clemency to the returned exile and Sinuhe ended his days as a prince and chief steward of the Pharaoh's estate.

deduced from the use of the Egyptian words *hs* and *qrst*, which distinguish between ritually incorrect and correct burial, with the former using the foreign land determinative to show that foreignness and ritual incorrectness are closely connected. For almost all who suffer it, the experience of exile is like a living death where the predominant desire is to return home, and this is often linked to an equally deep-seated wish to be buried within one's native soil. The two ideas are encapsulated in a maxim of the Roman writer Publilius Syrus, who states: *Exsul, si tibi nusquam domus est, sine sepulcro es mortuus* (*Sententiae* 155). Even a modern-day traitor like John Cairncross, "The Fifth Man" in the Cambridge spy ring, who spent forty years in self-imposed exile in France, returned to England shortly before his death so that he could be buried in his homeland⁵². If a person dies abroad, which is a fate of many exiles, their family or friends often try to secure for them a final resting place in the country they used to call home. In his *Trattatello in laude di Dante*, Boccaccio berates his public, the Florentine contemporaries to whom the text is addressed, for keeping Dante in exile even after their poet has long been dead and passionately urges them to retrieve his ashes from Ravenna⁵³.

It is also the double sense of loss - death and distant burial - that evokes so much pathos in several of Catullus' poems. First, there is the tender poem to his brother: *Multas per gentes et multa per aequora vectus/advenio has miseras, frater, ad inferias,/ut te postremo donarem munere mortis/et mutam nequiquam alloquerer cinerem* (Cat. 101). The sense of remoteness of his brother's final resting place profoundly adds to the *tristesse* of the whole poem. The theme is repeated - both that of fraternal devotion and distant burial - in

⁵²Cairncross was buried in October 1995. Another member of the spy ring, Donald McLean, also succeeded in his wish, upon his death, to be transported from exile in Russia and buried in Penn, Buckinghamshire.

⁵³The appeal went unheeded, for Dante's ashes still lie away from his native city. See Lagos-Pope, M.-I. ed., *Exile in Literature* (London: Associated University Presses, 1988) 49.

another of Catullus' poems, 68b, where Laodamia bewails her brother's fate: *quem nunc tam longe non inter nota sepulcra/nec prope cognatos compositum cineres,/sed Troia obscena, Troia infelice sepultum/detinet extremo terra aliena solo* (ll.62-65). The sense of an abandoned exile contemplating her plight in terms of non-burial is also seen in Catullus' depiction of Ariadne left on Naxos by Theseus: *pro quo dilaceranda feris dabor alitibusque/praeda, neque iniacta tumulabor mortua terra* (Cat. 64. ll.169-171)⁵⁴. The true poetic exile, Ovid, often refers to the fear that his shade will have to walk among those of the Getae in Tomis and it was a sentiment echoed by many other Roman exiles, both real and literary⁵⁵. One of the first acts of the emperor Caligula was to make the journey to the Pontian Islands to recover the ashes of his mother Agrippina and his brother Nero and bring them back for proper burial in the Mausoleum of Augustus. It is possible that Caligula's behaviour might have been undertaken to eradicate any sense of shame or disgrace, but such an obvious act of *pietas* might also just as easily have served to rouse popular devotion to the new emperor himself and help to establish his legitimacy to the throne (*Cal.* 15).

The only argument against the fear of burial abroad is found, characteristically, in the Cynic-Stoic writers such as Plutarch (*De Exilio* 604), who states: "On this account you will find that few men of the greatest good sense and wisdom have been buried in their own country, and that most of them, under compulsion from no one, weighed anchor of their own accord and found a new haven for their lives, removing some to Athens, some from Athens."

⁵⁴Naxos became a real island of exile under the later Julio-Claudians.

⁵⁵The character of Octavia is portrayed as lamenting the fact she could not die on her own country's soil in the *Octavia* (902-904). Roman ideas as to where the Manes might have dwelt are not explicitly recorded, but it is likely that they were thought of as being underground, at or near their burial place, where they could be given nourishment. See Toynbee, J.M.C., *Death and Burial in the Roman World* (London: Thames & Hudson, 1971), 37ff

But for most exiles the thought of burial is very important. Marcian wrote that any attempt to remove an exile for proper burial in his homeland eventually became a crime: *Si quis in insulam deportatus vel relegatus fuerit, poena etiam post mortem manet, nec licet eum inde transferre aliubi et sepelire inconsulto principe* (Digest 48.24.2). The last hope of the exile would have been that, even if life had not been able to afford him an existence for so many years in Rome or Italy, at least death could mean a return home. For many exiled under the Julio-Claudians, this was not to be the case.

INTRODUCTION OF EXILE AS A LEGAL PENALTY

For most of the Republic, the Romans had no official penalty of exile. Exile was voluntary, imposed on themselves by defendants on capital charges in order to escape the penalty of the law, that is, death. The word "capital" in Roman public law had a peculiar sense in that *caput* related to a citizen's rights as well as his life. In the early days of the Republic, a man might be declared *sacer* if he had committed a serious crime, which was deemed to have been enacted against the gods. Punishment under sacral law was not the equivalent of statute law, since sacral law was seldom the product of legislation. Originally, the offender could be killed by the members of his tribe, but gradually the idea of banning him from all divine and human assistance took hold. He was separated from the fire and water of his tribe and anyone was able to kill him with impunity. Thus, in the earliest *leges sacratae* of the Republic, the only immediate prize that the gods now gained was the property, not the life of the victim. This theory of a man being exiled from the community while his life was spared was of the utmost importance in the history of Roman

criminal procedure⁵⁶. Cato seems to associate *exilium*, in the form of *aquae et ignis interdictio*, and *sacratio* when he writes: *duo exules lege publica execrari* (as quoted by Priscian, *Inst. Gramm.*, Book 8, ch. 4)⁵⁷. The concept of a person going into exile familiarized the Romans with the idea that the severest penalty did not require the sacrifice of life. The non-legal administrative measure issued regularly on pain of death, which followed an individual's escape into exile, was the *aquae et ignis interdictio*. Since the mid-second century BC there had been a convention whereby an accused person was allowed to anticipate condemnation by voluntary exile, but if he waited until judgment, the magistrate was perfectly within his powers to execute him. The case of the ex-praetor Cn. Fulvius in 211 BC is the date when *exilium* was first singled out as a distinct *ius*: *Cn. Fulvius exulatum Tarquinius abiit, id ei iustum exilium esse scivit plebs* (Livy 26.3.12)⁵⁸. From about 123 BC, this practice hardened into a quasi-legal procedure, whereby even after condemnation it was the magistrate's duty to allow the accused a reasonable opportunity of avoiding execution by going into exile⁵⁹. Whether he left before or after judgment, the *aquae et ignis interdictio* could be enacted against him, so that if he returned from exile he could be killed with impunity for transgressing the limits of his banishment. In other words, the *interdictio* did not impose a legal sentence of exile, but gave effect to the situation created by the accused person's own act. In the late Republic, a citizen of standing convicted on a capital charge in an assembly-court or in *quaestio perpetua* hardly ever lost his life⁶⁰. He went into exile and a statute or plebiscite passed

⁵⁶See Greenidge, A.H.J., *The Legal Procedure of Cicero's Time* (Oxford: OUP, 1901), 301-302.

⁵⁷Strachan-Davidson, J. L., *op. cit.*, 31, associates the legal effect of *aquae et ignis interdictio* with that of *sacratio* and *proscriptio*.

⁵⁸See Hardy, E.G., *Some Problems in Roman History* (Oxford: OUP, 1924), 9-10, who states "The plebs merely registered the fact that the accused had gone into exile as a means of escaping punishment: that it was a case of *iustum exilium* and that he was in the position of a person outlawed on whom the ban of *aquae et ignis interdictio* had been passed."

⁵⁹Bauman, R.A., *The Crimen Maiestatis in the Roman Republic and Augustan Principate* (Johannesburg: Witwatersrand University Press, 1967), 65.

⁶⁰See Wirszubski, CH., *op. cit.*, 4, on *capitis deminutio media*. See also Greenidge, A.H.J., *Roman*

by the *concilium plebis* annually prevented such exiles from returning home through the *aquae et ignis interdictio*⁶¹. Thus, the *aquae et ignis interdictio* had become a conditional death sentence, the main condition being that the condemned person remained absent from Rome.

Under Sulla, we find that the *poena legis Corneliae* was generally a "capital" penalty and it would appear that even if the sense of the punishment was death, the availability of the option of exile allowed a person to escape. The later jurists attest to this. Ulpian (*Collatio Legum Mosaicarum et Romanarum* 12.5.1) states: *incendiariis lex quidem Cornelia aqua et igni interdici iussit*; Modestinus (*Digest* 48.10.33) writes: *lege Cornelia aqua et igni interdicatur*; while Marcian (*Digest* 48.8.3) comments: *legis Corneliae de sicariis et veneficis poena insulae deportatio est*. Going by these comments, one would deduce that Sulla was the first legislator to make exile a legal penalty. However, this presupposes the fact that *deportatio insulae* was not an official penalty until the time of Tiberius, so Marcian is juxtaposing a post-Sullan term of punishment with a Sullan piece of legislation. If this technical inaccuracy has occurred, there is the possibility of others, including the very use of the term *aquae et ignis interdictio*, which is described as the penalty of these Sullan laws. A more credible argument would seem to be that Sulla's laws ordained the *caput* of the criminal, as seen when Ulpian (*Collatio* 1.3.1) quotes the *lex Cornelia de sicariis* and states: *ut praetor quaerat de capite eius qui cum telo ambulaverit hominis necandi causa* and when Cicero quoted the law against conspiracy which Sulla borrowed from Gracchus: *quae tunc erat Sempronia, nunc est Cornelia, de capite eius quaerito*. Thus Sulla's laws are seen to invoke the ultimate penalty, *poena capitis*, but, as we have seen, the

Public Life (London: Macmillan, 1922) 139.

⁶¹Cic. *Verr.* 2.41.100 suggests that an annual edict by the tribunes listed by name those exiles who were interdicted. For the Roman judicial system, involving trial by jury, see Strachan-Davidson, J.L., *op. cit.*, 40ff.

execution of a Roman citizen was no longer tolerated, so the person condemned on a "capital" charge would go into exile. This theory finds firm substantiation in Cicero's *pro Caecina*.

In the *pro Caecina* of 69 BC, Cicero states: *Exsilium enim non supplicium est, sed perfugium portusque supplici. Nam quia volunt poenam aliquam subterfugere aut calamitatem, eo solum vertunt, hoc est sedem ac locum mutant. Itaque nulla in lege nostra reperietur, ut apud ceteras civitates, maleficio ullum exsilio esse multatum; sed cum homines vincula, necesse ignominiasque vitant, quae sunt legibus constitutae, confugiunt quasi ad aram in exsilium. Qui si in civitate legis vim subire vellent, non prius civitatem quam vitam amitterent; quia nolunt, non adimitur eis civitas, sed ab eis relinquitur atque deponitur. Nam, cum ex nostro iure duarum civitatum nemo esse possit, tum amittitur haec civitas denique, cum is qui profugit receptus est in exsilium, hoc est in aliam civitatem* (34.100). It is clear from this text that exile had not yet become an official sentence under Roman law. The date of the *pro Caecina* has been suggested as the *terminus post quem* for the transformation of exile into an official legal penalty⁶². It is certainly known that Cicero's own *lex Tullia de ambitu* of 63 included exile from Rome for ten years as its penalty (*pro Murena* 3.5.67, 89; *pro Sestio* 133; *in Vatinius* 37; *pro Plancio* 83; Dio 37.29.1). Thus, it can be deduced that exile became an official penalty sometime between 69 and 63⁶³. The significant point in Cicero's measure was that the penalty of exile was temporary and, even more importantly, it did not include loss of citizenship. Thus, Cicero's law is among the first, if not the first, to introduce the idea of temporary relegation, rather than general outlawry, in that it maintained civic rights intact.

⁶²Garnsey, P., *Social Status and Legal Privilege in the Roman Empire* (Oxford: OUP, 1970), 112 n.1.

⁶³Jones, A.H.M., *The Criminal Courts of the Roman Republic* (Oxford: Blackwell, 1972), chooses 63 as the year in which exile was formally introduced as a law. See also Bauman, R.A., *op. cit.*, 66.

Following the *lex Tullia de ambitu*, several other laws containing exile as the main punishment were passed by the senate during the next two decades. Among these were the bills promulgated by Clodius against Cicero himself. These included the *de capite civis Romani* and the *de exilio Ciceronis*, which will be discussed in the following chapter. In addition, there were the *leges Iuliae de maiestate* and *de vi*, which were passed during Caesar's dictatorship of 59 (Cic. *Phil.* 1.23). It is also reasonable to suppose that he did the same for the *quaestio repetundarum*. These laws proposed *aquae et ignis interdictio* as the formal penalty. Chilton emphasises that the one novelty of the *lex Iulia maiestatis* was that the sentence of exile replaced the death penalty⁶⁴. This implies that the punishment for *maiestas* formerly under the *lex Cornelia* and the *lex Appuleia* must have been death. It had become orthodoxy to hold that the penalty laid down in Caesar's *lex* was exile in the form of *aquae et ignis interdictio*, and that if or when defendants were executed they were victims of an act that had no sanction in the statute. Caesar's law also now made obligatory the annual imposition of the *aquae et ignis interdictio*. The penalty of the *lex Iulia peculatus*, which succeeded Sulla's law, was also given as *aquae et ignis interdictio* and the *lex Licinia de sodaliciis*, which was directed against the formation of political associations for corrupt practices would more than likely have had the *aquae et ignis interdictio* as its penalty. The two Republican laws *de vi* were superseded by the *leges Iuliae de vi publica* and *privata*, which also enacted *aquae et ignis interdictio* as the penalty. Caesar made a general sharpening of the penalties of the criminal courts and later included half the property of the condemned man as well as the sentence of exile. Caesar's *lex Iulia Municipalis* also ensured that whoever was condemned was no longer permitted to remain on Italian soil, whereas under the previous

⁶⁴Chilton, C.W., "The Roman Law of Treason under the Early Principate," *Journal of Roman Studies* 45 (1955) 75.

treaty arrangements an exile could go to places such as Neapolis, Praeneste or Tibur. It would appear that eventually for perhaps all capital offences, the penalty came to be defined formally as *aquae et ignis interdictio*⁶⁵.

In the Augustan age, the jurist Labeo referred to exile and death as two capital penalties: *Labeo existimabat capitis accusationem eam esse, cuius poena mors aut exilium esset* (*Digest* 37.14.10). Labeo's words were cited by a later jurist, and it is impossible to be sure whether he used the word *exilium* and not the phrase *aquae et ignis interdictio*. The two terms are virtual synonyms in the first century texts. They stand for the exile which involved loss of citizenship and property. On the other hand, Paulus firmly distinguished between capital penalties such as *mors* and *exilium*, which he equated with *aquae et ignis interdictio*, and *cetera*, the rest which were properly called *non exilia sed relegationes*. Long before, Ovid made the same distinction, emphasising that he was relegated, not exiled: *quippe relegatus, non exul dicor in illo* (*Tristia* 5.11.21). *Relegatio* in the Republic was a measure of coercion (*coercitio*). It appears in the *Digest* as an aspect of a *paterfamilias* over his children and wife, or that of a patron over his freedman. Slaves were not relegated as a penalty partly because *relegati* normally could choose their place of residence outside Italy or a province. In this respect, people were relegated by magistrates - but as an administrative measure, rather than as a penalty prescribed by the laws. The chapter on Augustus will deal with how Rome's first emperor introduced *relegatio* as an official punishment for criminal offences.

⁶⁵See Jones, A.H.M., *Augustus* (London: Chatto & Windus, 1980) 69, who states: "For practical purposes in the Republic the death penalty had ceased to exist for citizens."

EXILE DURING THE REPUBLIC

Once the convicted person had gone into exile, he ought to have been technically quite safe from Roman influence. This was not always the case. Sulla clearly abrogated exilic protocol when he demanded the extradition of a man who had gone into exile in Rhodes (Appian *Bellum Civile* 1.91) and the *triumvir* Marcus Antonius acted in a similar fashion with regard to Verres. Even though he had taken himself into exile at Massilia, Verres' throat was cut during the triumviral proscriptions because Antonius coveted some bowls of his out of his Sicilian plunder, to which the exile had clung to the very last (Pliny *Nat. Hist.* 34.2.6). These two examples stand out because they are anomalies. Generally, the Republican exile was free to roam throughout the known world, provided he did not set foot on Italian soil⁶⁶.

The restriction on exiles, preventing them from stepping on Italian soil, had not always existed. Originally, in the same way that Athens and the major other cities in Greece had agreements to welcome exiles⁶⁷, there existed between Rome and *civitates liberae et foederatae* a treaty clause which dealt with the possibility of exile or migration. In these places, the Roman exile could automatically claim to have the *ius exulare* and immediately become a citizen. Towns which had such treaties with Rome included, in Italy, Tibur, Praeneste, Neapolis and Nuceria. In fact, Tibur and Praeneste retained exile rights after the break-up of the Latin League until the Social War (Polybius 6.14.8). The

⁶⁶Though the cases of Oppianicus and Quintus Pompeius indicate that some were even able to stay in Italy without being killed (Cic. *Fam.* 8.1.5)

⁶⁷The Greeks applied exile in the form of ostracism, which derived from *ostrakon*, the potsherd used in the ballot to decide for or against a person's banishment. A vote of 6,000 was needed to exile someone, and to effect their recall. The practice was first adopted at Athens, Argos, Megara and Miletus. The original sentence of ten years' exile was later reduced to five. A similar process of *petalismos*, using leaves was employed at Syracuse. See Tabori, P., *op. cit.*, 46-49.

subject is demonstrated by the incident, in 311 BC, of the Roman *tibicines*, who went on strike and then retired to Tibur, exercising the *ius exilii*, so the senate could not touch them. Other Italian states which also possessed this right were Heraclea, Petelia, Croton and Rhegium. In fact, there was nothing to prevent the exile attempting to acquire the citizenship of any other place if he so desired, and Cicero's comments indicate that the individual would rarely be unsuccessful in his application if he did so (*pro Balbo* 11.27). It would have been only natural for a Roman to want to spend his exile in an Italian city. An example is provided by Publius Sulla, who was condemned for bribery in 66 BC, but did not have the edict of *aquae et ignis interdictio* officially passed on him, and went into exile at Neapolis (Cic. *pro Sulla* 5.17). In the provinces the exile could go to Gades and Tarraco in Spain; Massilia in Gaul; and Smyrna in Asia. Normally, if a person was charged with an offence, he would generally be allowed to remain at large until the day of his trial. If he took a hopeless view of his case (as in the examples of Cicero and Milo), or just before the verdict, if his expectations of acquittal were not likely to be fulfilled, he left Rome, journeyed to one of the federate states and became a member of that community. The guilty verdict might even be pronounced at Rome, but it was now null and void because no Roman assembly could condemn the citizen of another state. Exiles of the late Republic sometimes went to western provinces - Massilia is most famous in this age as a place of residence for exiles (Dio 40.54.3; Sall. *Cat.* 34.2; Cic. *pro Sestio* 7)⁶⁸ - but they tended to go more often to the East⁶⁹. In the early first century, Quintus Caecilius Metellus Numidicus spent the first part of his exile at Rhodes, before going on to Tralles. Rhodes and Mytilene came to be held as the places that could make exile most

⁶⁸See Benoit, F., "L'Evolution Topographique De Marseille," *Latomus* 31 (1972) 67. Even though Massilia was besieged and taken by Caesar in 49 BC, the city remained more or less independent as a centre of Hellenism.

⁶⁹See Wilson, A.J.N., *Emigration from Italy in the Republican Age of Rome* (Manchester: Manchester University Press, 1966), 162-164.

bearable. Mytilene had various amenities, Rhodes, besides its beauty, a tradition of higher education and the presence of men distinguished in rhetoric, philosophy or learning, which brought many visitors, so that an exile was almost certain to meet educated fellow citizens or have studious friends visit him. Cicero wrote in 46 to a friend that, if Rome were still a *civitas*, he wished to stay there as a *civis*, if it was not, to live there in effect as an exile, but an exile in a place *non incommodiore...quam si Rhodum aut Mytilenas me contulisset* (*Fam.* 7.3.5). He again couples Rhodes and Mytilene in another letter of 46 to M. Marcellus, who was in exile at Mytilene at the time (*Fam.* 4.7.4). In 44, D. Brutus and C. Matius speak in letters of Rhodes as the obvious place for exile, should it come to that (*Fam.* 11.1.3 and 11.28.8). In Horace, Rhodes and Mytilene are the jewels of the East for the traveller and the proverbial places of exile (*Odes* 1.7.1; *Epistles* 1.11.17). The popularity of Rhodes and Mytilene for exiles explains why Tiberius withdrew to the former during his time away from Rome in 6 BC and why Agrippa's base in his first eastern mission to the latter was misrepresented by later writers as semi-exile⁷⁰. Exiles also went to old Greece. Some chose Athens, especially men of Epicurean tendencies, such as T. Albucius, the butt of Scaevola in 119, and C. Memmius Gemellus, the patron of Lucretius. Indeed, all the main cities of Roman Asia and of Greece may have received Roman exiles. Italian exiles in the second century BC were established on the island of Leucas, possibly because it was the nearest suitable place (*Livy* 33.17.11).

Life in exile during the Republic was not difficult and often appealed to the banished person more than a return to Rome⁷¹. An example can be seen in

⁷⁰See Syme, R., *The Roman Revolution* (Oxford: OUP, 1939) 342, who refutes the notion that Agrippa was in exile.

⁷¹Unless a person was specifically recalled from banishment, the only legal method by which he could recover Roman citizenship was by *postliminium*. This was applied to the person who might have suffered exile on a non-voluntary basis, through an act of war or some other extreme measure. Cicero claimed that his own exile was forced on him by physical violence. Similarly, Publius Sulpicius Rufus,

the case of L. Aemilius Paullus, a brother of the triumvir Lepidus. Paullus was driven into exile by the proscriptions of 43 and went over to Brutus in Asia. He settled in Miletus and remained there even when he was invited by the triumvirs to return to Rome (Dio 47.8.1; Appian *Bellum Civile* 4.37). He may be only one of many exiles who, after establishing themselves in a new home in a pleasant city, preferred not to return to Italy, even though they were given the chance. Part of the reasoning behind such an attitude was that a noble exile, with adequate financial resources, could literally lord it up in a provincial community. C. Antonius, who had been consul with Cicero, was forced into exile after he was convicted for blunders and extortion in Macedonia, although his connection with Catiline might also have been exploited by the prosecution. He lived for more than a decade in exile on Cephallenia. According to Strabo, he held the whole island subject to himself, as if it were his private estate. He even began a project of building a new town on Cephallenia and was prevented from achieving his goal only by his recall by Caesar in 47 (Strabo 10.455; Cic. *Phil.* 2.38)⁷².

There are numerous cases of exile recorded during the Republic - from the legendary expulsion of the final king of Rome, Lucius Tarquinius Superbus, to the bizarre tale of the praetor Genucius Cippus⁷³, down to the banishment of so many who fought in the Civil Wars. Perpetrators of military misconduct or cowardice in battle, such as Gnaeus Fulvius Flaccus and Quintus Servilius Caepio, also sought the sanctuary of exile to avoid a more severe

tribune of 88 BC, had proposed to restore those who had gone into exile under the Varian Commission of 90, saying they were *non exules sed vi eiectos* (Cic. *ad Herennium* 2.28.45). See Maff, A., *Ricerche sul Postliminium* (Milano, 1992), *passim*.

⁷²See Gruen, E. S., "The Trial of C. Antonius," *Latomus* 32 (1973) 309.

⁷³Cippus was said to have been going out of the gates of Rome, when horns suddenly began growing out of his head and the *haruspices* declared that if he returned to the city, he would be king. To prevent this, he went into voluntary exile. Naturally, Ovid could not resist including the story in the *Metamorphoses* (15.565) and it also appears in Pliny (*Nat. Hist.* 11.37.45) and Valerius Maximus (5.6).

punishment⁷⁴. Women were not exempt from banishment either⁷⁵. Among the most famous examples of exile that occurred during the late Republic was that of Gaius Marius, who was forced into exile after Sulla marched on Rome in 88, but he returned the following year, in alliance with Cinna, and took his revenge on his enemies and was elected consul for 86, but died early that same year. Another celebrated exile was Metellus Numidicus, who was the only senator not to swear to observe Saturninus' agrarian law in 100, but was recalled by the senate in 98. Then there was Titus Annius Milo, the adherent of Cicero who helped to effect his recall, but was prosecuted in 52 for the murder of Clodius. Milo went into exile at Massilia and in 48 joined Caelius in a rebellion against Caesar, but was defeated and killed. More than anything, the fact that these exiles often made their return to Rome, whether through the means of violence or after being peacefully recalled, indicates how the system of sovereignty of law and limitation of all powers in the Republic could work to the benefit of the individual.

CONCLUSION

The path to despotism begins with the smallest of acts, which, if unchecked, lead to greater ones. The change in the laws relating to exile led to its expedient use. Once it had been employed to deal with people during the reign

⁷⁴Flaccus had been praetor in 212 BC and had Apulia as his *provincia*. He was defeated by Hannibal near Herdonea and was one of the first to take flight with about 200 horsemen. The rest of his army was cut to pieces and out of 22,000, only 2,000 survived. Expecting the worst, he went to the Tarquinii in voluntary exile (Livy 20.3.21; 26.2.3). A similar fate befell Caepio a century later. He was involved in a huge defeat at the hands of the Cimbri on October 6, 105 BC and was only one of ten who survived the slaughter of 80,000 soldiers and 40,000 attendants. Caepio eventually stood trial for his misconduct, to which was added a charge of *maiestas* because he had robbed the temple of Tolosa during his consulship of 106. Though defended by Lucius Licinius Crassus and other members of the Roman aristocracy, Caepio was condemned and his property was confiscated. However, he escaped with the help of the tribune Lucius Antistius Reginus and went into exile at Smyrna (Cic. *Brut.* 44; *pro Balbo* 11; Val. Max. 4.7).

⁷⁵In 213 BC, the aediles M. Fundanius Fundulus and L. Villius Tappulus are said to have accused several *matronae* before the people of *probrum* (some form of disgraceful behaviour) and those convicted went into exile (Livy 25.2).

of Augustus, it became natural for his successors to follow suit and then to worsen the effects of exile. Exile became much less the sanctuary sought by a person who had been found guilty of committing a serious crime and more of a despotic tool wielded to immobilise the perceived threat of innocent individuals whose only "crime" was that they were well-connected by birth. What dictators still fail to grasp is that they can never dictate how posterity will judge them and those who are exiled from a society ultimately become the very witnesses who record their misdemeanours. As Plutarch, citing the famous writers exiled from Greece, positively puts it: "All these and many more, when driven from their country, did not despair or lie prostrate in grief, but put their native abilities to use, accepting their exile as a provision granted by Fortune for this end, an exile that has made them everywhere remembered even in death; while of those who banished them and triumphed over them in the struggle of factions not one enjoys at present the slightest recognition" (*De Exilio* 605). One banished person who signally failed to display the philosophical resolution that Plutarch admired so much was the Roman who helped to introduce the legal sentence of exile, Cicero.

CICERO IN EXILE

eripitur persona, manet res.

Lucretius, *De Rerum Natura* 3.58.

There is a point within the *De Domo Sua* where Cicero, very recently recalled from exile, declares: *sed cum hoc iuris a maioribus proditum sit, ut nemo civis Romanus aut libertatem aut civitatem possit amittere, nisi ipse auctor factus sit* (29.77). It is this fundamental notion - of the Roman citizen only being able to lose his freedom or citizenship when he so chooses - which makes Cicero's inclusion within a study primarily devoted to exiles of the Julio-Claudian Dynasty appropriate. It affords us a rare and detailed example of the Republican sentence of banishment prior to the foundation of the Principate. The very wording that Cicero uses in the above sentence and the fate of Republican exiles who were mentioned in the previous chapter, as well as Cicero's own account of events and the legislation which led to his banishment, provide a yardstick by which to gauge the increasing severity of the sentence of exile during the subsequent Julio-Claudian Dynasty. Through Cicero's evocation of exile in his letters, the speeches on his recall and various allusions scattered throughout his later writings, he illuminates the somewhat grey area surrounding banishment during that revolutionary period between the end of the Republic and the beginning of the new imperial Rome.

Several ancient sources give us varying accounts of Cicero's exile, but it is his own extant letters from the time he spent in banishment which furnish us with an insight into the orator's thinking and the ways that he coped, or failed to cope, with his crisis. Cicero's correspondence with Atticus and the members of his family is particularly valuable because it allows observation of the

unguarded side of his nature, specifically because the letters were never intended for publication and it is doubtful whether they have been amended in any way. The writings also represent the only full account we have of the experience of banishment during the late-Republic. Cicero's is the most prosaic and least literary-minded of the three main accounts of exile that remain extant, the others being those of Ovid and Seneca. The events which led to Cicero's exile are also the most complex in the sense that a number of different factors and personalities led to his banishment, as opposed to the seemingly more straightforward charges made against Ovid and Seneca. It is also significant that Cicero was exiled through the acquiescence of several leading political figures, rather than just one - in the person of the emperor during later times. A counter-argument to this, however, might be that that acquiescence, as far as Cicero's case was concerned, was polarised through the action of one man, Publius Clodius, whose vindictive behaviour can be seen as prototypical of what was to follow under the monolithic system of the emperors. The main difference was that, during the time of the Julio-Claudian Dynasty, the power to recall an individual rested solely on the whim of the emperor, whereas in the time of the Republic the senate was the body which effected by consensus the exile's return.

x

The highly personal nature of Cicero's letters enables us to understand fully the implications of the sentence of exile in a way that would not have been possible had he maintained the often bombastic, pompous *persona* projected in the many speeches that have come down to us. This is particularly pertinent when one considers Cicero's over-confidence before the storm, which, having been created by Clodius and the dynasts, crashed all around him, followed by the despairing attitude displayed in his letters from exile, and finally the triumphant tone within the post-exilic speeches. The disparity between the peaks and troughs of Cicero's state of mind would have been considerable if

one could have plotted a graph during this time. It would also have been perfectly in keeping with the modern assessment of Cicero, who is thought to have been "an extremely volatile character, [who] could as easily plummet to the depths of abject and even hysterical gloom as soar to ebullient optimism"⁷⁶. There has been broad agreement among historians as to Cicero's stance during this critical time of his life, with several concentrating especially on his "unmanly" attitude⁷⁷. Indeed, Syme goes so far as to state that Cicero showed himself worthy of being called a man only once in his life - when he faced his death - and posterity has certainly taken a dim view of his behaviour as far as events surrounding his exile are concerned⁷⁸. Ironically, Plutarch says that Cicero only took the action which led to his exile - i.e. allowing five Catilinarian conspirators to be executed - because he would have been thought of as "weak and unmanly, particularly as his reputation for courage among the people of Rome was not in any case a very high one" (*Cic.* 19).

It is possible to discern three distinct phases as far as Cicero's banishment is concerned. The first, pre-exilic phase is influenced by the acclaim Cicero received for putting down the Catilinarian conspiracy - "the immortal glory of the Nones"⁷⁹ - which led to almost fantastical flights of fancy in the consular orator's self-assessment; the second phase shows Cicero cast into abject misery during his voluntary exile because he hastily avoided the legislation promulgated by Clodius; and the final phase shows Cicero back from exile and attempting to reaffirm his standing as one of the leading figures of Rome, while declaring himself the definitive embodiment of the Republic. An analogy of the true state of affairs, seen through more objective eyes than

⁷⁶Stockton, D., *Thirty five letters of Cicero* (Oxford: OUP, 1969) 14.

⁷⁷See MacKendrick, P., *The Speeches of Cicero* (London: Duckworth, 1995) 28; and Carcopino, J., *Cicero: The Secrets of his Correspondence* (London, Routledge, 1951) 197-198.

⁷⁸See Syme, R., *The Roman Revolution* (Oxford: OUP, 1939) 146; also Smith, R.E., *Cicero the Statesman* (Cambridge: CUP, 1966) 159-160.

⁷⁹Stockton, D., *op. cit.*, intr xv.

Cicero's, would show the orator assuming a changing role in the political game of chess. First, during his consulship of 63, he is seen as the king, seemingly all-powerful, but restricted to moving one square at a time mainly because of his insistence that all matters be forwarded to the senate for its approval, a most pertinent point when one considers the backing he received in quashing the Catilinarian conspiracy⁸⁰; then, while Clodius and the dynasts vie for power, he is transformed into a knight - able to manoeuvre politically, but only in a limited fashion because his progress is dictated by the movements of others; the exilic period inevitably casts him up as little more than a pawn during the turbulent consulship of Gabinius and Piso, while Clodius' thugs terrorise the streets of Rome in a manner similar to the Nazis in Germany during the Thirties; and finally, on his recall, he reverts to the position of knight, never to play the king again, yet more than just a pawn caught up in the *imbroglios* of Roman politics.

A CONSTELLATION OF POLITICAL EVENTS

The circumstances leading up to Cicero's departure from Rome have been exhaustively analysed and it is not within the remit of this current thesis to discuss them in their entirety⁸¹. However, certain factors ought to be considered when dealing with Cicero's banishment, since they are bound to have had a bearing on the politician's state of mind while he was in exile. Among these considerations is the fact that the official sentence of exile as part

⁸⁰Cicero's enemies even went so far as to insult him by calling him "king". Manlius Torquatus dubbed Cicero *peregrinus rex* for taking on the case of Sulla in 62. He also charged that Cicero was about to make the Republic into his kingdom. Then, in 61, Clodius cried out: "How long are we going to put up with this king?"

⁸¹For more extensive analyses of the political situation prior to and during Cicero's exile, see the many biographies on him, including such works as Rawson, E., *Cicero: A Portrait* (London: Allen Lane, 1975), Shackleton Bailey, D.R., *Cicero* (London: Duckworth, 1971) and Stockton, D., *Cicero: A Political Biography* (Oxford: OUP, 1971)

of Roman law was relatively new⁸². Cicero had touched on the matter of exile on several occasions, most notably when he outlined its nature in the *pro Caecina* (34.100). At the time, he had indicated that exile was not a punishment in the legal sense: it was a harbour of refuge from punishment. Cicero also made the point that no one under Roman law could be a citizen of two states. Citizenship of Rome was actually lost at the moment when the runaway became an exile, that is, the member of another state.

Cicero was also aware of the repercussions of exile on the victim. He succinctly evokes its power in his defence of the Catilinarian conspirator Sulla in 62, when he wonders rhetorically what Torquatus can gain from his further prosecution of Sulla when the latter is already ruined: is Torquatus striving for *exilium inimici*? (*pro Sulla* 90)⁸³ Exile, together with its inherent disgrace and damning loss of status, had become the main threat when a conviction was brought against a prominent citizen. It is the principal reason why a defendant could not accept his prosecutor as anything but an *inimicus*. Sometimes, as happens in our own modern society, even an unsuccessful prosecution was capable of ruining a reputation and blocking progress through the *cursus honorum*⁸⁴. The fact that Cicero was to make the sentence of exile part of Roman jurisprudence, rather than the traditional quasi-legal safeguard to prevent the return of voluntary exiles that it had been, might have meant that he felt its sting even more keenly when he was officially banished from Rome just five years later⁸⁵.

⁸²See Sherwin-White, A.N., *The Roman Citizenship* (Oxford: OUP, 1973) 35, who states: "Down to the age of Cicero *exilium* remained a voluntary act, and was only incidentally associated with the removal of political offenders from the state."

⁸³Epstein, D.F., *Personal Enmity in Roman Politics* (New York: Croom Helm, 1987) 79.

⁸⁴Epstein, D.F., *ibid*, 90-91.

⁸⁵Greenidge, A.H.J., *The Legal Procedure of Cicero's Time* (Oxford: OUP, 1901) 508-509, makes the point that Cicero's law was probably the introduction of temporary relegation, since it allowed the convicted person to retain his civic rights at the end of the ten-year exile. The temporary loss of all rights with the certainty of their sudden revival at the end of a given period was an idea unfamiliar to the Roman mind.

Yet Cicero ended up conceding that he may never have needed to go into exile in the first place. In the *De Domo*, Cicero claims *denique ne pulsus quidem ita sim, ut, si contenderem, superare non possem* (33.88). This is a theme which is often repeated with regret throughout the exilic letters to Atticus. Faced with the prospect of opposition from Clodius and others in 59, Cicero had written confidently that he would be able to ride out any storm and emerge successfully. Such vaunts were symptomatic of the arrogant triumphalism that emerged in the aftermath of his action against the Catilinarian conspirators in 63. The over-confidence that many found overbearing was to contribute to Cicero's undoing and the previously mentioned evaluation of the orator's turbulent emotions is shown to be perfectly accurate when, still giddy from his own success, Cicero found he had seriously misjudged the political situation and, having been laid low by events, felt compelled to go into exile.

Clodius, who was motivated almost entirely from a desire for vengeance because of Cicero's involvement for the prosecution in the *Bona Dea* scandal⁸⁶, had managed to put forward the bills that prompted Cicero's departure. First, however, he had had to engineer his own adoption as a tribune of the plebs, yet he would not have been able to have achieved that status without help from several quarters in what has been described as a "constellation" of political events⁸⁷. These included Caesar's cooling off towards Cicero because the latter would not take up several offers of office which would have demonstrated his support for the "first triumvirate"⁸⁸.

⁸⁶Seager, R., "Clodius, Pompeius and the Exile of Cicero," *Latomus* 24 (1965) 520, indicates that Clodius wanted to be tribune "to satisfy a purely personal end, his obsessive desire to be revenged on Cicero", but MacKendrick, *op. cit.* 127, suggests that the reason Cicero left Rome was because Clodius had fanned popular resentment against Cicero after his action against the Catlinarians and Clodius' own resentment over the *Bona Dea* scandal was secondary.

⁸⁷See Fuhrmann, M., tr. by Yuill, W.E., *Cicero and the Roman Republic* (Blackwell, 1992) 89.

⁸⁸This appellation has been disputed by historians, with some stating that the alliance between Octavianus, Lepidus and Antony should be classified as the first triumvirate. Andrew Lintott neatly

Oratorical skills had a potent influence over politics in a way that is not fully appreciated today and, with this in mind, Caesar decided that, since Cicero would not join his cause, the only way of diminishing the potentially formidable antagonist was to obstruct his persuasive eloquence⁸⁹. The best way of achieving that end was to silence him through fear⁹⁰. It was for this reason that Caesar made no attempt to block Clodius' adoption to the tribunate, even though he realised Clodius would use the position to exact his revenge on Cicero, who had broken his alibi in the *Bona Dea* scandal. Cicero might ordinarily have looked to the consuls for assistance in blocking any legislation Clodius might have devised, but this path was swiftly and cunningly impeded by the newly adopted tribune who offered Gabinius and Piso the governorships of two lucrative provinces - Cilicia (later changed to Syria) and Macedonia respectively - on completion of their year's duties. In short, their acquiescence was bought and their hostility to Cicero almost effortlessly achieved⁹¹.

Cicero's final avenue of hope lay with another member of the "gang of three", Pompey. His situation was complicated by the friendship he had forged with Cicero and by the many pledges of protection against Clodius he had given him in 59. But, in early 58, Pompey had particular fears for his own position and, in the light of the Vettius affair⁹², he also had his suspicions about Cicero that did not dispose him to take much account of his previous ties and commitments to the orator. There were fresh rumours of plots against his life and persistent allegations that Cicero was involved in them. Pompey was prone

circumvented the problem in his series of Ciceronian lectures in Oxford 1993 when he described Caesar, Pompey and Crassus as the "gang of three". Lintott added that the overtures made to Cicero indicated that the three power brokers were ready to accept him into their party to form a "gang of four".

⁸⁹See Brunt, P.A., *The Fall of the Roman Republic* (Oxford: OUP, 1988) 46.

⁹⁰See Stockton, D., *Cicero: A Political Biography* (Oxford: OUP, 1971) 180.

⁹¹Smith, R.E., *op. cit.*, 156, makes the point that if the consuls had not been privy to the plot, Clodius would have suffered Saturninus' fate in 100; the senate could have passed its *senatus consultum ultimum* (*scu*) as it did as recently as 62, and Clodius' reign of force would have had short shrift.

⁹²See Seager, R., *op. cit.*, 525ff, for a full account of the Vettius affair.

to believe such reports. Thus, in losing the backing of Pompey and rejecting Caesar's offers, Cicero threw away that firm support which, in an earlier moment of clarity, he had discerned himself to stand in need of (*Att.* 1.19.6)⁹³. In short, when Caesar assumed office, Cicero found himself completely isolated - he was, in effect, exiled before his very banishment⁹⁴.

Ultimately, Cicero's exile was "in a way a testimony to his parliamentary eminence"⁹⁵, combined with Clodius' vengefulness against the man who had acted as "a severe and caustic witness for the prosecution"⁹⁶ in the *Bona Dea* scandal. The new tribune of the plebs promulgated two new bills at the end of January 58, one to outlaw anyone who had put to death Roman citizens without the consent of the people - i.e. without a proper trial - the other to assign provinces to the two consuls. The former bill, which related to the execution of the Catilinarian conspirators, was aimed directly at Cicero, though he was not specifically named⁹⁷. The *senatus consultum ultimum* (*scu*) had previously taken precedence during a time of national emergency over the *caput* of a citizen. Cicero was fully aware of its use and effect, particularly since he had defended C. Rabirius on an allegation that he had helped in the killing of Saturninus 37 years earlier after the senate had passed the *scu*. Cicero

⁹³Even the *boni* had turned against Cicero. They were not eager to invite him to join them in their struggle against the "gang of three". Their reluctance had two reasons: first, he had long courted Pompey, whom they opposed and mistrusted; second, Cicero had irritated them for some time with his bragging. Yet, in another of the ironies involving Cicero's banishment, it was the very people among the senate who had contributed to his isolation who were to applaud his return from exile.

⁹⁴It was as early as May 59, long before the exile, that he complained for the first time about the ingratitude of the other leaders. He should have waited quietly for better times to come, but that was not in his nature. Instead, he complained publicly about the conditions of the day, that is to say, about the dominance of the three rulers - Pompey, Caesar and Crassus. He did so in March, when he spoke for the defence at the trial of his former consular colleague, Gaius Antonius. While Cicero spoke without enthusiasm for Antonius, who was eventually convicted, he seemed much more inspired in his criticism of the "gang of three". They made him pay by letting Clodius loose against him. See Habicht, C., *Cicero the Politician* (Baltimore: John Hopkins University Press, 1990) 46, for a useful account of Clodius' *transitio ad plebem*.

⁹⁵Sihler, E. G., *M. Tullius Cicero of Arpinum* (Yale University Press, 1914) 207.

⁹⁶Habicht, C., *op. cit.*, 47.

⁹⁷Epstein, D. F., *op. cit.*, 78, describes Cicero as the most famous victim of this extreme measure of exile, the consummate legal injury short of execution which figured prominently in the tactics of *inimici*.

suggested that Caesar, who had brought the case to trial, was attacking the validity of the *scu* when in fact he was probably merely criticizing its misuse. In Cicero's own case, the very *scu*, which, after Cato's appeal on December 5, 63, had empowered Cicero to order the execution of the Catilinarians was formally decreed to have been a forgery (*De Domo* 20.50)⁹⁸. Had Cicero attempted to contest the bill, Clodius would have found it difficult to dissociate Cicero's action, in executing the conspirators, from that of the senate⁹⁹. However, Cicero failed to take such action¹⁰⁰. Years later he could truly assert that, as consul, he had acted throughout by the will of the senate (*Phil.* 2.11); hence, he could claim his banishment was an assault on the *senatus auctoritas* (*Post Reditum in Senatu* 8.20). Yet he did not stand his ground at this most crucial of times.

In truth, Cicero was unable to respond in his characteristic, rhetorical fashion to Clodius' charge that men had been condemned to death without being given the chance of a trial. They had¹⁰¹. Here one encounters an essential dichotomy of interests: the protection of the State versus the sanctity of life of the individual citizen. Cicero's action would have been covered by the precedent of Opimius, Marius and others, but there was no precedent for acting as he did towards men whose guilt was presumptive only¹⁰². Cicero had

⁹⁸In effect, Clodius' bill charged as unconstitutional the state of emergency which the senate had previously declared in the event of a common danger.

⁹⁹See Brunt, P.A., *op. cit.*, 480.

¹⁰⁰Even though he had taken the further precaution of having notes of all proceedings made and circulated, so that all Italy might know the truth of what had happened. See Smith, R.E., *op. cit.*, 155.

¹⁰¹Cicero had the five Catilinarians executed after convincing himself that they had been engaged in a plot which was to end in arson, assassination and revolution. He had even obtained evidence in their own handwriting of some treasonable correspondence with a Gallic tribe, but they had not actually carried any of these designs into effect.

¹⁰²During the debate, Caesar alluded to the Sempronian law of Gaius Gracchus, which stated that a Roman citizen could not be executed without having been convicted in a people's court. Cicero probably always had in mind the action of the consul Opimius when he had Gaius Gracchus and Flaccus, the consul of 125, cut down, as well as arresting and executing 3,000 of their followers. Yet Opimius was acquitted on the grounds of the *scu* on the senate. There was, in fact, no valid defence against the charge that the Sempronian law had been violated when the Catilinarians were executed. In three different passages (*pro Sulla* 32; *pro Flacco* 95; *pro Sestio* 11), Cicero calls the five conspirators *hostes domestici*, public enemies, but of a specific and so far unheard of type - "domestic" enemies.

exercised the right of martial law against men who were possibly *perduelles*, but *perduelles* by construction only¹⁰³.

Cicero's overly prompt action as consul had certainly eliminated any danger posed by Catiline and his allies, but, with the State safe, the situation allowed Clodius to play on popular sensibilities to achieve his vindictive goal of eliminating Cicero through exile. Fully aware that such a move could further promote an image of himself as a defender of the people's liberties, he worded his bill in such a way that anyone who transgressed it should suffer the sentence of *aquae et ignis interdictio*, which had by now become the worst penalty under the Republic. Cicero was caught between the pure forensic nature of Clodius' action and the repercussions that would occur either way, whether he stayed or departed. His dilemma was that neither the *scu* nor a decree that made Catiline and his army public enemies justified the execution of the five arrested Catilinarians. They were entitled to a trial according to the Sempronian law. Somewhat later, Clodius attacked Cato as a hangman of unconvicted citizens, but, legally, responsibility rested with the consul who had put Cato's motion to the vote and had the five men executed. In spite of the ostensible backing of the senate, Cicero alone became accountable.

Cicero must have agonised over the decision to go into exile. He could have waited for the people's verdict, which would have given Clodius' proposal the force of law, and the subsequent trial with himself as the accused. Instead,

More explicit is a passage in the fourth Catilinarian speech delivered in the senate on that fateful December 5, after Caesar had spoken, but before Cato's speech. Cicero's main intention was then to assure his peers that he, as *consul*, would obey whatever the vote of the senate might be and that they should speak their minds, without regard for his, the consul's sake. This is as close as he comes to admitting that he, as *consul*, was ultimately responsible for what was then to happen. In paragraph 10, he acknowledges that Caesar has reminded the house of the Sempronian law, but denies that the law was applicable. Cicero understandably wanted to create the impression that what had taken place was the killing of public enemies, not the execution of citizens without a trial. For that purpose he invented the term *hostes domestici* and argued that whoever had committed hostile acts was *ipso facto* a *hostis* or, to put it differently, if he had been a citizen, he thereby ceased to be one. None of this was true.

¹⁰³See Hardy, E.G., *Some Problems in Roman History* (Oxford: OUP, 1924) 37.

he reacted with a haste he later bitterly regretted. He discarded his senatorial dress and appeared as a simple knight. Demonstrations and counter-demonstrations followed. Clodius' gangs hounded Cicero wherever he appeared in public, insulting and pelting him with stones. A crowd consisting mainly of knights assembled on the Capitol (*Post Reditum in Senatu* 5.12) and resolved to put on mourning as a sign of solidarity with Cicero. The senate did the same and appealed to Gabinius, whose reaction was to summon a *contio*, denounce their action, and warn the *equites* that they would pay for their part in the execution of the Catilinarian conspirators. It was at this point that Lucius Aelius Lamia was banished under what was an administrative decree of *relegatio* to two hundred miles from Rome¹⁰⁴.

Cicero avoided standing trial by going into voluntary exile and leaving Rome, escorted by a group of friends, at the dead of night on March 20, on the eve of the assembly which would vote on the plebiscite proposed by Clodius. Cicero fled, according to one historian, like a criminal who had the courage neither to fight nor to uphold his rights¹⁰⁵, but, as seen above, perhaps the truth of it was that even he doubted the validity of those rights. Few scholars have discussed exactly why Cicero went into exile or what it was that he really feared. There has been virtually no speculation on what might have happened had Cicero remained in Rome to oppose the first charge in person but lost the case¹⁰⁶. Bearing in mind the unremitting stance of Clodius, Cicero might well have faced public humiliation with the tribune comparing his action to that of

¹⁰⁴Lamia's *relegatio* has to be seen as an administrative measure, since *relegatio* as a criminal punishment had not yet come into use, in spite of the introduction of Cicero's ten-year temporary exile clause within the *lex Tullia de ambitu*. See Strachan-Davidson, *op. cit.* 64. Nippel, W. *Public Order in Ancient Rome* (Cambridge, CUP 1995) 105, erroneously identifies Lamia's exile as a "deportation order", which it most definitely was not since *deportatio* was not introduced into Roman law until AD 23.

¹⁰⁵Carcopino, J., *op. cit.*, 197.

¹⁰⁶With the exception of Rawson, E., *op. cit.*, 116, who states: "It is hard to suppose that, if Cicero had stayed in Rome, there could have been a fortunate outcome, unless Pompey and Caesar had ultimately relented."

Sulla, who, after marching on Rome in 88, disposed of twelve of his leading enemies through exile or death. The most Sulla troubled to obtain to achieve this was an *scu*, just as Cicero had done two decades later¹⁰⁷. If he had defended himself but lost the case, Cicero would definitely have had to go into exile, merely to avoid the *poena capitis*. Had Cicero been convicted, a recall might still have been possible, but such a likelihood would have been much more remote and might never have occurred. He might have had to face the rest of his days in the traditional Republican exiles' retreats of Massilia, Mytilene or Rhodes. If that had happened, his letters from exile would definitely have become the most bleak in Latin literature - and the image of Cicero at this crucial time in his life would have been even more reviled by those who subsequently denigrated his letters to Atticus. Perhaps such a conjecture might prompt discussion as to whether Cicero really was the abject coward his detractors have described, or rather a shrewd politician who knew when the game was up temporarily - but still had every intention of coming out on top.

One of Cicero's final acts before leaving the city was to carry a statue of Minerva, which he kept in his house, to the Temple of Jupiter on the Capitol where he dedicated it with the inscription, "To Minerva, guardian of Rome". It was an important symbolic gesture and a poignant one which later exiles were to emulate¹⁰⁸. Minerva was *custos urbis*, the role in which Cicero especially liked to cast himself, particularly bearing in mind his actions during his consulship¹⁰⁹. He was to announce on his return to Rome that, in departing

¹⁰⁷See Gruen, E.S. *Roman Politics and the Criminal Courts 149-78 BC* (Harvard University Press, 1968) 228; and Mommsen, T., tr. by Dickson, W.P., *The History of Rome Vol III* (London: Macmillan, 1908) 542.

¹⁰⁸See Sattler, P. "Julia und Tiberius", *Latomus* 31 (1972) 779, who compared the action of Tiberius sending a statue of Hestia to Rome with that of Cicero in making an offering to Minerva. See chapters on Ovid and Exile Under Tiberius and the later Julio-Claudians.

¹⁰⁹Cicero commented on his identification with Minerva after his return from exile (*De Domo* 34.92 and 57.144).

voluntarily, he believed he was saving Rome from civil war and he wanted to present himself again as the protector of the city. Immediately after his departure, his house on the Palatine was plundered and burned, and Cicero's wife, Terentia, was forced to flee to her sister Fabia at the Temple of Vesta, from where she was compelled to come forward in person and make declarations as to property they owned at the *Tabula Valeria*. Cicero's houses at Tusculum and Formiae were also looted and wrecked.

The sources tend to concur on the reasons for Cicero's departure from Rome. According to Velleius Paterculus (2.45.1), Clodius put forward a law by which anyone who had put to death a Roman citizen uncondemned should be interdicted from fire and water - in other words, outlawed. He adds that, although Cicero was not named in the law, it was directed against him alone. Dio (38.14.4) says much the same. The epitomizer of Livy (103) says that Cicero "was exiled by a law carried by Publius Clodius, on the grounds that he had put citizens to death uncondemned: *lege a P. Clodio...lata, quod indemnatos cives necavisset, in exilium missus [est]*. Appian (*Bellum Civile* 2.15.54-57) relates incorrectly that Clodius "indicted Cicero for having illegally put to death Lentulus and Cethegus without trial" and that Cicero went into voluntary exile.

There followed another bill from Clodius, the *lex de exilio Cicerone*, promulgated around March 25, which was a declaratory act proceeding on the assumption that Cicero had been hit by the terms of the first law and that he had acknowledged his guilt by going into exile. As the title implies, this second bill formally declared Cicero an outlaw by name and fixed a limit from Italy within which Cicero was not allowed to reside. The bill, which was passed on April 24, also prescribed penalties against anyone who harboured him within this limit, confiscated his property to the state and gave Clodius charge of its

deposition. To put the seal on the measure, it also forbade any proposals for invalidation or repeal to be brought before the senate or people. For Clodius, the moment represented the sweet taste of revenge: for Cicero, already on the run, it had the rank stench of ruin.

The saviour of his country had become an outlaw, indeed, a criminal without a country, since he had also lost his citizenship. In another of the many ironies in this case of exile, it can be seen that the same events on which Cicero's unique distinction rested were also the cause of his expulsion. A further irony is that while he condemned others without granting them the trial to which they, as citizens, were entitled (he interpreted their confession as sufficient proof of guilt), he himself was now condemned without the trial to which he was entitled (as Clodius interpreted his departure as sufficient proof of his guilt). If Cicero had broken the law, so had Clodius with his second bill, because it was a *privilegium*, not a general law, but a law *ad hominem*, aimed at a single individual, and, as such, invalid according to the legal standards of the Romans. The difference was that the decision in 63 was irreversible and that of 58 was not, although Clodius did his utmost to make it so.

The limit of exile placed on Cicero by Clodius' law has been much debated, with one school of thought believing it was 400 miles, the other claiming it was 500¹¹⁰. Plutarch (*Cic.* 32.1) states that the law banishing Cicero was carried after he had gone into exile and adds that it forbade anyone to shelter him within 500 Roman miles from Italy. Dio (38.17.6-7) writes that, after Cicero had gone into voluntary exile, Clodius carried a second law, by

¹¹⁰Habicht, C., *op. cit.*, 47, says the distance was 400 miles; likewise Sihler, *op. cit.*, 207, Petersson, *op. cit.*, 315, and Haskell, H.J., *This Was Cicero* (London: Secker & Warburg, 1943) 237. The other school of thought includes MacKendrick, P., *op. cit.*, 127, who says the measure forbade Cicero to come within 500 miles of Italy; likewise Fuhrmann, M., *op. cit.*, 92, says 500 miles, and Nisbet, R.G., *Cicero: De Domo Sua* (Oxford: OUP, 1939) 205.

which Cicero's property was confiscated, his house was destroyed, he himself was forbidden to stay in Sicily and he was ordered to remain 3,750 stades from Rome. Cicero, writing from Nares Lucanae, explains that his reason for having made the journey was that there was no place where he could long be unmolested except on Sicca's estate, especially since the bill had not yet been amended: *itineris nostri causa fuit quod non habebam locum ubi pro meo iure diutius esse possem quam in fundo Sicae, praesertim nondum rogatione correcta* (Att. 3.2). A little later, he writes that a corrected copy of the bill has been brought to him and he has been told that he can remain anywhere beyond 400 miles: *adlata est...nobis rogatio...in qua quod correctum esse audieramus erat eius modi, ut mihi ultra quadringenta milia liceret esse* (Att. 3.4). On April 29 he announced his intention of going to Cyzicus in the province of Asia (Fam.14.4.2), but feared that they might hold that even that town was not far enough from Italy: *veremur ne interpretentur illud quoque oppidum ab Italia non satis abesse* (Att. 3.7.1). Plutarch and Dio, writing long after the exile, give the limits of the outlawry as 500 miles, but Rawson, diplomatically stating that the Roman mile was less than the British mile, makes the point that Cicero's evidence must surely be preferred¹¹¹.

In fact, Cicero flouted the limit by spending most of his time in exile at Thessalonica and Dyrrhachium, which were technically within the specified distance of interdiction. It is quite probable that Cicero exaggerated the danger he now faced as an *interdictus* still on Italian soil, but it was real enough for him to be refused entry at various points and to instil fear in those who did take pity on him. The decision to go into voluntary exile was one thing, but where to go was another and this is obvious from his desperate letters on the journey into banishment.

¹¹¹Rawson, E., *op. cit.*, 138.

THE JOURNEY AND CONDITIONS OF EXILE

Cicero's exile begins with him travelling almost haphazardly across Italy, until he took ship for Macedonia and spent the first six months of his exile in Thessalonica and the last nine in Dyrrhachium. More than two dozen letters to Atticus survive from this time - the entire third book of the correspondence - as well as four to his wife Terentia and two to his brother Quintus, but they have been attacked for the weakness of Cicero's resolve at this time of crisis. Fuhrmann writes: "Apart from a few details about his journey and the places where he stayed, together with sundry remarks about efforts being made for his recall, there is nothing but a monotonous account of Cicero's despondent state of mind. Nowhere do they show any sign of an attempt at self-control or any inclination to cope with the dismal present by means of a despairing sort of humour"¹¹². They demonstrate the full measure of his depression and show, as Shackleton Bailey put it, "a Roman Consular without his toga".

Such is the general interpretation of Cicero's melancholic letters, but once the quality of the missives themselves has been discussed, it is important to look at the reality of his exile. Cicero would have been well provided for financially when he went into exile. We are uncertain as to the exact state of his personal finances on his departure, but Cornelius Nepos supplies us with the detail that Cicero's loyal friend Atticus had taken responsibility for supplying him with funds to the tune of 250,000 sesterces¹¹³. Before leaving Rome, Cicero had also taken possession of money owed to Quintus as proconsul of Asia from the treasury¹¹⁴. Quintus later offered to send his brother more funds,

¹¹²Fuhrmann, M., *op. cit.*, 92.

¹¹³See Petersson, T., *Cicero: A Biography* (Berkeley, 1920) 317.

¹¹⁴See Shackleton Bailey, D.R., *op. cit.*, 68.

but the latter indicated that there was no need. There appears to have been no limit on the amount of funds the exiled person could take with him during the time of the Republic, whereas a law introduced in AD 12 by Augustus stipulated that the exile was permitted to take no more than 500,000 sesterces with him, though there must remain a question about just how enforceable such legislation would have been¹¹⁵. One of the most significant points about Cicero's exile is that at no point does he seem to have lacked the means to live comfortably or the opportunity to do so, in spite of his frequent lamentations over his state of affairs. A veritable entourage accompanied him from Rome, including freedmen, servants and a friend, Gnaeus Sallustius, who saw to his security and well-being. Cicero would probably have considered such protection a necessity¹¹⁶. Thus, one's perception of Cicero in exile is never that of the solitary individual. From his correspondence, one pictures Cicero frequently attended by messengers, either delivering or setting out with letters, and loyal friends or clients along the way offering advice and even places to stay. Although later exiles of imperial times, such as Ovid and Seneca, might have tried to paint a picture of themselves going into banishment alone - when they were actually permitted to take a limited number of attendants with them - they would almost certainly not have been as comfortably off as Cicero and they had no choice as far as their places of banishment were concerned. Here we see some of the fundamental differences between voluntary exile during the Republic compared with the sentence of enforced exile during the Julio-Claudian Dynasty.

Cicero's immediate concern on quitting Rome was where to travel as he went into exile. He first headed southwards, while trying to decide on the most

¹¹⁵The subject is discussed further in the following chapter on Augustus.

¹¹⁶Three years later, in 55, Cicero was carried by eight men in a two-person litter from Neapolis to the resort town of Baiae with an escort of one hundred swordsmen.

suitable destination. His initial letters to Atticus have a frenetic quality that is perfectly in keeping with his new status as a fugitive on the run: *ex epistularum mearum inconstantia puto te mentis meae motum videre, qui, etsi incredibili et singulari calamitate adflictus sum, tamen non tam est ex miseria quam ex culpa nostra recordatione commotus* (Att. 3.8.4). They meander, then sharply turn in subject matter, just as Cicero's travel plans were to change almost continuously. Of the twenty-seven letters from exile to Atticus, fourteen of them mention changes of plan to his intended journey. He mentions places he might go to, places he wishes to avoid and then usually talks of remaining where he is - principally in Thessalonica - when he had intended to move on.

Cicero had first intended to go to Brundisium, with a view to crossing over to Greece accompanied by Atticus, but he changed his mind when he reached Campania and set off for the farm of a friend, who was called Sicca, at Vibo in the toe of Italy not far from the Straits of Messina. He was keen for Atticus to join him there, so that they could make plans for Cicero's journey and exile: *sed eo si veneris, de toto itinere ac fuga mea consilium capere potero* (Att. 3.3). On the way, he pondered the plight of another famous Republican exile, Marius. In a villa near the Lucanian town of Atina where he spent a night, he had a dream, in which Marius asked him why he seemed so downcast. Having explained his situation, Cicero was comforted by Marius who said that salvation would come from the Temple of Honour and Virtue - and this was indeed where the senate resolved a year later to begin proceedings for his recall. The story, which certainly does not appear in any of the letters written at the time of Cicero's exile, is related in a much later work, *De Divinatione*, and only then in amended form¹¹⁷.

¹¹⁷See Rawson, E., *op. cit.*, 117.

Cicero's stay in Vibo, however, was cut short by news of Clodius' amended bill: *miseriae nostrae potius velim quam inconstantiae tribuas quod a Vibone quo te arcessebamur subito discessimus. adlata est enim nobis rogatio de pernicie mea, in qua quod correctum esse audieramus erat eius modi ut mihi ultra quadringenta milia liceret esse, illuc pervenire non liceret* (Att. 3.4.1). He had thought of heading for Sicily, which he considered a second home, but he learned that the governor, C. Vergilius, though an old friend, would prevent him landing on the island because he had become an *interdictus*. Cicero feared that, if he stayed where he was, his host Sicca could face ruin. He also abandoned hope of going to Malta. Accordingly, he turned away from Vibo in a north-easterly direction and made for Brundisium, which he reached on April 17, with a view to heading on to Cyzicus in Asia: *nobis iter est in Asiam, maxime Cyzicum* (Att. 3.6).

The letters to Atticus around this time are interspersed with frequent laments at their lack of opportunity to meet and discuss urgent plans - *non fuerat mihi dubium quin te Tarenti aut Brundisi visurus essem idque ad multa pertinuit, in eis et ut in Epiro consisteremus et de reliquis rebus tuo consilio uteremur* (Att. 3.6). Such despondent missives indicate that he needed his loyal friend's advice more than ever. At Brundisium he spent a few days with another friend, Marcus Laenius Flaccus, who secured him passage on April 29 to Dyrrhachium (now Durazzo) on the west coast of Macedonia. Plutarch (*Cic.* 32) states that Cicero's first attempt to sail was unsuccessful. He was turned back by contrary winds and finally set off the following day¹¹⁸. Plutarch (*ibid*) also describes how Cicero was about to go ashore at Dyrrhachium when there was an earthquake and a great convulsion of the sea, which led soothsayers to

¹¹⁸Such an occurrence is quite possible. See Friedlander, L. tr. by Magnus, L.A., *Roman Life and Manners under the Early Empire* (New York: Arno Press, reprint ed. 1979 of the 1907-13 ed. published by Routledge, London) 282, who describes conditions for travel during the year and states: "From the 11th November to the 5th March there was no sailing".

conjecture that his exile would not last long, since these were signs foretelling change.

Cicero did not take up Atticus' offer of a haven on his estate at Buthrotum in Epirus: *scripseram ad te quas ob causas in Epirum non essemus profecti, quod et Achaia prope esset plena audacissimorum inimicorum et exitus difficilis haberet cum inde proficisceremur* (Att. 3.8.1). He also made sure he avoided Athens because P. Autronius and others associated with Catiline had gone there in 62 in exile: *sed itineris causa ut deverterer, primum est devium, deinde ab Autronio et ceteris quadridui, deinde sine te...quod si auderem, Athenas peterem. sane ita cadebat ut vellem. nunc et nostri hostes ibi sunt et te non habemus et veremur ne interpretentur illud quoque oppidum ab Italia non satis abesse* (Att. 3.7.8ff). Consequently, he took the Via Egnatia to Thessalonica, where he arrived on May 23. Here, at what was to be the most easterly point of his wanderings, though not quite the specified 400 miles from Italy, he was safe from enemies, especially the exiled Catilinarians. Cicero was permitted to stay in Thessalonica at the official residence of the Macedonian quaestor, Gnaeus Plancius, an old acquaintance and a *novus homo* from a country town near Arpinum. Cicero was eternally grateful to Plancius for providing a place of safety during his time of torment: *Cn. Plancius, qui omnibus provincialibus ornamentis commodisque depositis totam suam quaesturam in me sustentando et conservando collocavit. Qui si mihi quaestor imperatori fuisset, in filii loco fuisset: nunc certe erit in parentis, cum fuerit consors non imperii, sed doloris mei* (Post Reditum in Senatu 14.35-15.39). Cicero had considered continuing his journey to Cyzicus, but Atticus, by letter, and Plancius, in person, urged him to remain where he was since there were good communications between Rome and Thessalonica: *me etiam nunc istorum beneficiorum et litterarum exspectatio, ut tibi placet, Thessalonicae tenet* (Att. 3.9.3). The Macedonian governor, Plancius' superior, raised no

serious objection to Cicero staying at the residence, even though he did have misgivings. This is perfectly understandable, bearing in mind the restrictions set by Clodius' law and the possible consequences if anyone were caught harbouring Cicero. One has only to observe the reaction of the governor of Sicily, C. Vergilius, at Cicero's intention to land on his province. Naturally, the governor of Macedonia must have been minded to his own future career once he had returned to Rome after his tour of duty.

Cicero was to stay in Thessalonica until November, but we have very few details about his sojourn there. In one letter, dated July 21, 58, he criticises Thessalonica for being the most unsuitable place of exile in his present frame of mind: *sed iam extrudimur, non a Plancio (nam is quidem retinet) verum ab ipso loco minime appposito ad tolerandam in tanto luctu calamitatem* (Att. 3.14.1). It is a theme to which he returns on several occasions and his correspondence suggests that he often contemplated moving elsewhere, primarily to Atticus' estate at Epirus. Yet it is not until November 25 of the same year that we find a letter being dispatched from Dyrrhachium, and Cicero has still made no move towards Epirus: *me adhuc Plancius liberalitate sua retinet iam aliquotiens conatum ire in Epirum* (Att. 3.22.1). We are given no firm details as to his earlier complaint or his desire to depart from Thessalonica, but in this particular letter he alludes to the danger of "soldiers" arriving, presumably under the authority of the incoming governor, Piso: *sed iam, cum adventare milites dicentur, faciendum nobis erit ut ab eo discedamus* (ibid).

The lack of concrete locational detail recurs in the writings of Roman exiles. However, the paucity of description should not prejudice a proper evaluation of Cicero's letters to Atticus. They represent a genuine cry for help to a close friend and were never intended as a source of topographical information for succeeding generations. It would have been quite inappropriate

on at least two counts if they had contained detailed descriptions of Cicero's locale. First, there is the obvious distress which affected Cicero's mental state and "was such as to make him a very uncertain witness", had he turned his thoughts to literary pursuits¹¹⁹; second, it is more than likely that Atticus was already fully acquainted with the geography around Thessalonica, which had been the capital of Macedonia since 146 BC and which he had probably visited, since he possessed an estate in Epirus. It is also quite likely that he shared Cicero's acquaintanceship with Plancius. These are points which have been overlooked by those who have berated the lack of information on the locality where Cicero spent his exile¹²⁰. One should remember that, in April 59, Cicero had gone with his family on their usual excursion to Antium, where he had intended, with Atticus' encouragement, to write a book on geography. The work was never completed because Cicero says he preferred to read or "count the waves". If he could not find it in him to write a geographical tome when he was at the height of his fame and happy in the company of his family, should he really have been expected to turn his pen to such a pursuit during his time of high anxiety in exile while cut off from his family, his friends and Rome?

Although he lived in the quaestor's official residence and received the benefit of Plancius' devoted friendship, Cicero was under severe stress at this point in his life: *itaque cum meus me maeror cottidianus lacerat et conficit, tum vero haec addita cura vix mihi vitam reliquam facit* (*Att.* 3.8.4-6). He was overcome by a sense of the suddenness and completeness of his change of fortune, together with a profound sense of shame: *ecquis umquam tam ex amplo statu, tam in bona causa, tantis facultatibus ingeni, consili, gratiae tantis praesidiis bonorum omnium concidit? possum oblivisci qui fuerim? non sentire qui sim, quo caream honore, qua gloria, quibus liberis, quibus*

¹¹⁹Rawson, E., *op. cit.*, 114.

¹²⁰Such as Fuhrmann, M., *op. cit.*, 92, and Wilson, A.J.N., *op. cit.*, 163.

fortunis, quo fratre? (Att. 3.10.2) In the ancient consolatory tradition, the exiled or bereaved person was often advised to seek sublimation in literary studies, but the seemingly undeserved character of his misfortune brought Cicero only increased bitterness at the ingratitude of gods and men (*Q. Fr.* 1.3.1; *Fam.* 14.4.1). Cicero had suggested to Quintus on one occasion that he should resort to writing on the geography and ethnography of Britain as a safe literary outlet (*Q. Fr.* 2.16.4), but geographical details appear to have been the last thing on Cicero's own mind while he was anxiously waiting for news at the Macedonian quaestor's residence¹²¹. Cicero's inability to cope in the traditional, self-consolatory way during his crisis served to inspire later exiles, such as Seneca or Boethius, to face their own plights with more resolve.

What *is* apparent in the way Cicero expresses himself is a strong sense of dislocation, particularly in his constant need to know exactly what was happening in Rome: *eoque ad te minus multa scribo quod et maerore impediore et quod expectem istinc magis habeo quam quod ipse scribam* (Att. 3.10.3). Plutarch (*Cic.* 32) describes him as "most of the time miserable and disconsolate, keeping his eyes fixed, like a distressed lover, on Italy; his spirit was not great enough to rise above his misfortunes, and he became more dejected than one would have thought it possible for a man to be who had enjoyed such advantages in training and education". Cicero's very sense of dislocation manifests itself through his yearning for the place he had left behind, rather than through any detailed description of the foreign places that he visited or stayed in during his time in banishment. His preoccupation with affairs in Rome and his deep desire to be recalled are so prominent that he might as well have been writing from Massilia or Rhodes for all that the letters reveal in terms of geographical location. The truth of the matter is that the places he

¹²¹See Claassen, J.-M., "Ovid's Poetic Pontus," *Papers of the Leeds International Latin Seminar* 6 (1990) 65, on the consolatory nature of literary studies.

passed through would have been almost meaningless to Cicero, just as life held little value if he was not in his beloved Rome. It has been suggested that Cicero was only interested in the personal benefits that life in Rome would bring¹²², but it can be argued that his feelings for Rome and the benefits he derived from his position of importance there were interdependent. Few who were exiled from Rome during the Republican age could claim to be as representative of the state as Cicero, nor did anyone identify as closely with it. Provided he was safe from his enemies, Cicero's primary goal was to be recalled and his single-mindedness emerges as one of the few positive aspects of his exile. This is substantiated by one of the later letters from exile where Cicero states that he would rather lose his life than lose the chance to return to his native land: *mihi in animo est legum lationem exspectare; et si obstrectabitur, utar auctoritate senatus et potius vita quam patria carebo* (Att. 3.26). Such a view is in keeping with the universal feeling of exile, particularly during the early period of banishment, though there are those who would argue that, had he been forced to remain in exile, he would not have had the fortitude to go through with the act of ultimate self-rejection.

The chance to recuperate from his torments at Thessalonica gave Cicero an opportunity to consider all that had occurred. But the more time he had to himself, the more he manifested the feelings that most exiles exhibit - he began creating fanciful theories on what might have been, rather than concentrating on facts. Initially, he considered the events that had brought about his exile and he became rueful about acting so hastily in leaving Rome when he might have been able to stand his ground and see out the storm. His emotions also fluctuated as far as those around him were concerned. When he was at Brundisium on April 29, Cicero told Atticus how much he would

¹²²See Carcopino, J., *op. cit.*, 200.

welcome the prospect of staying at his estate in Epirus, if only to avoid crowds of people. In fact, he wished very much to be left alone: *quod me rogas et hortaris ut apud te in Epiro sim, voluntas tua mihi valde grata est et minime nova. [es]et consilium mihi quidem optatum si liceret ibi mone tempus consumere; odi enim celebritatem, fugio homines, lucem aspicere vix possum, esset mihi ista solitudo, praesertim tam familiari in loco, non amara* (Att. 3.7.1). Yet, by July 17 at Thessalonica, Cicero writes: *ego etiam nunc eodem in loco iaceo sine sermone ullo, sine cogitatione ulla* (Att.3.12.3). This shift in attitude and sense of isolation is very much in character with the general experience of exile, not only during Roman times, but throughout the centuries. Even though Cicero was fully aware that others were in close attendance, and in spite of the comfort offered to him by Plancius, one can perceive the sense of the dislocated individual hankering for home through the emotional self-depiction of his solitude.

At times, Cicero says in his letters that he can hardly write - even to Atticus and the family - and his missives appear to have been composed in the midst of tears or to have reached a valedictory note just at the onset of his distressful emotions. He now accuses himself continually of folly and cowardice in leaving Rome. He also accuses the leading senators, especially Hortensius, of treachery, and even Atticus of shortsightedness, timidity, and of not loving his friend enough to have put his mind to giving the right advice. Cicero continues to threaten suicide. It seems likely that, even with due regard for his dramatic language, he was very close to a nervous breakdown. A freedman of Crassus, who must have met Cicero in Thessalonica, made a report to Atticus stating that he had found Cicero both full of anxiety and much thinner than he had ever been. Cicero's response was to pen the longest letter in the collection from exile to Atticus (Att. 3.15), in which he refutes the freedman's report and says it was actuated from malice. Then, as if to prove his point, Cicero goes on to give a

most lucid appraisal of how events in Rome, as described to him by Atticus, ought to proceed.

Cicero eventually left Thessalonica for Dyrrhachium on the Adriatic coast, where he was to stay anxiously awaiting news of a possible recall from the end of November until the beginning of August 57. One reason for moving to the town of Dyrrhachium, of which he was a patron, was to be nearer to Italy and to receive news more quickly. The carrier of a letter to Cicero took less than ten days from Dyrrhachium to Rome¹²³. Another reason, as stated above, was to stay out of the way of Piso when he arrived as governor of Macedonia¹²⁴. The most important reason, however, was because the journey to Brundisium took only one day, weather permitting¹²⁵. Only six of the letters written to Atticus from Dyrrhachium are extant, yet within them one can sense the frustration and misery on Cicero's part. He begins in optimistic mood in the letter dated November 25, hoping that the friendly attitude of the consul-designate and Pompey's goodwill, combined with Atticus' own influence on the other new consul, Metellus, will bring about the recall for which he has been praying. Another letter is dispatched just four days later and he applies his forensic knowledge to suggest ways in which his allies can circumvent the wording of Clodius' second bill, stating: *sed cum lex abrogatur, illud ipsum abrogatur quo non eam abrogari oporteat* (Att. 3.23.3). By the time of the third letter, dated December 10, hope is beginning to fade. Cicero is anxious that the support of the tribunes and the consuls is dwindling. Another letter of uncertain date, but probably sent in mid-December, shows Cicero in a miserable mood similar to the kind during his time in Thessalonica: *post tuum datae discessum litterae mihi Roma adlatae sunt ex quibus perspicio nobis in*

¹²³See Friedlander, L., *op. cit.*, 282.

¹²⁴Cicero later gained his revenge on the ex-consul who had permitted Clodius' actions when he attacked Piso for provincial maladministration.

¹²⁵See Friedlander, L., *ibid.*

hac calamitate tabescendum esse. By the time of the final two letters, sent in mid-January and early February 57 respectively, Cicero has all but given up hope: *et si obtrectabitur, utar auctoritate senatus et potius vita quam patria carebo* (*Att.* 3.26); *ex tuis litteris et ex re ipsa nos funditus perisse video. te oro ut quibus in rebus tui mei indigebunt nostris miseriis ne desis* (*Att.* 3.27). There is then a hiatus of seven months in the correspondence until Cicero writes to Atticus to tell him of his triumphant arrival in Rome.

CICERO'S RECALL

Just as a constellation of events had brought about Cicero's exile, so a similar one helped to end it. Cicero's exile had had a significant effect on the senate, which virtually suspended all business until he could be restored. But the process of recall was to prove arduous. One of the reasons for the delay was that repealing an act of exile involved strong penalties, which the magistrates and the senate shrank from incurring¹²⁶. Another was that Clodius' position had allowed him wide scope in directly and indirectly vetoing measures aimed at bringing Cicero back¹²⁷. Cicero's friends began to suggest that all of Clodius' legislation against Cicero might be brought into the category of a *privilegium* (*Att.* 3.15.5) and therefore against the law. This was not strictly true. The *privilegium* that subsequently exiled Cicero from Rome gave as its pretext the forgery of an *scu*, so Cicero was right in declaring Clodius' second bill illegal, because it was unconstitutional to pass a law against an individual¹²⁸. The

¹²⁶The first move towards Cicero's recall is mentioned as early as May 58 when Atticus advises the exile to send thanks to Marcus Terentius Varro and Publius Plautius Hypsaeus; both were intimates of Pompey, though just what their beneficial action involved remains unclear (*Att.* 3.8.3). Then, on July 1, the tribune Ninnius, encouraged by Pompey, proposed in the senate that Cicero should be recalled. Nobody dissented, but another tribune, Aelius Ligur, put down a veto.

¹²⁷Before the unanimous vote for Cicero's return, Clodius had succeeded in having four measures vetoed in 58, as well as blocking two more tribunician attempts to recall him. The incumbent consuls of 58 had also proved an obstacle.

¹²⁸See Wirszubski, CH., *op. cit.*, 60.

problem lay in the fact that all the second bill did was apply to Cicero the *aquae et ignis interdictio* already provided in the first bill - the general law against putting Roman citizens to death without trial. The decree of exile was enforced by the *concilium plebis* (*pro Sestio* 65), whose deliberations did not have the force of law, and Cicero notes (*Post Reditum in Senatu* 38) that a decree of outlawry pronounced by the *comitia* could be repealed by a tribune's intervention¹²⁹.

Eventually, all hopes rested on the new consuls¹³⁰. On January 1, 57, the patriotic consul Lentulus Spinther began his term of office by proposing a mass movement for Cicero's recall, a step the like of which had been taken only three times previously. Lentulus convened on the Capitoline a huge crowd and this show of unity persuaded the other consul, Q. Caecilius Metellus Nepos, though related to Clodius, to renounce his personal enmity towards Cicero¹³¹. The praetor Appius Claudius Pulcher, Clodius' elder brother, also held his peace. Lucius Cotta (*cos.* 65) went further, and argued that Cicero ought not to be merely recalled but publicly honoured. Pompey agreed, cautiously but sensibly noting that any resolution ought to be confirmed by a vote of the people. Then things went awry. Two of the new tribunes were against Cicero, and one of them, Atilius Serranus, remained adamant. On January 25, the day fixed for putting the proposal to the people, a friendly tribune, Quintus Fabricius, proceeded to the Forum before first light only to find it occupied by armed gangs. A violent affray developed and Cicero's brother Quintus had a narrow escape from serious injury or death. His brother's gloom was

¹²⁹See MacKendrick, P., *op. cit.*, 128.

¹³⁰In October of 58, eight tribunes had once again moved for Cicero's recall, but this was prevented by the opposition intervening

¹³¹He was induced to this by the eloquence of his relative P. Servilius Vatia Isauricus, who invoked the past patriotic record of the Metelli, including Numidicus, unjustly exiled and then recalled in 100 and 99 respectively.

understandable in the face of yet another fresh demonstration of Clodius' power (*pro Sestio* 72-7). Gang warfare raged.

On the motion of the consul Lentulus Spinther, Cicero was commended to the protection of provincial governors, and a call went out to citizens throughout Italy to come to Rome to vote for his recall. Pompey plunged into the fight, speaking in the Forum and travelling tirelessly from town to town around Italy to enlist support. Cicero, he declared, had saved his country and a packed Senate, with a single dissentient vote, ordered that this sentiment be entered in the public record. The following day, the house ruled that anyone hindering the vote for Cicero's recall should be deemed a public enemy. The day fixed for the popular vote was August 4. Rome was packed tight as citizens flooded in from the municipalities of Italy to lend their support. Lentulus Spinther moved the bill. Milo was at hand with his armed men, but now that Pompey had come out so openly in favour of Cicero, Clodius must have seen that resistance was useless. The senate voted 416 to one, Clodius' being the single opposing vote, and the bill was passed into law by the centuriate assembly - which hardly ever legislated - presumably because the approval of the masses in the tribal assembly would have been hard to obtain (*De Domo* 33.90; *Att.* 4.1.4; *Dio* 39.8). The senate, in effect, reversed its own interdiction of the previous year, leaving Cicero free to return.

Cicero had anticipated the outcome and had sailed from Dyrrhachium on the same day as the vote, landing the following day at Brundisium, where he was triumphantly received. He was met there by his daughter Tullia, whose birthday it was. The journey to Rome was one of success and he was congratulated on his return by every town along the route. Ordinarily, a senator such as Cicero travelling through the various towns on his way from Brundisium to Rome was a celebrity as far as the local people were concerned

and he would have been treated accordingly¹³². Therefore, Cicero's return journey from exile to Rome would have been even more feted than usual and this, along with his patronal obligations, would account for the delay of one month in him reaching the capital. It was eventually on September 4, that he made his triumphant route along the Via Appia and entered the capital at the Porta Capua. Crowds and cheers accompanied him to the climax of his arrival at the Forum and the Capitol, which were packed to bursting point with his welcomers¹³³. The exile had come home (*Att.* 4.1.4-5).

THE POST-EXILIC SPEECHES

Few scholars have commented on the correlation between Cicero's letters from exile and the speeches immediately after his return in terms of how much they might complement or conflict with each other, yet this is a key area as far as his exile and rehabilitation into Roman society are concerned. The possibility of Cicero including within these speeches the same genuine anguish that we see in the exilic letters to Atticus would not merely have been remote - it would have been unthinkable. No Roman of high status could allow himself to be seen in such desperate straits, even if they had experienced them. The private angst had to give way to the *dignitas* of the public *persona*. Consequently, the day after his arrival in Rome, Cicero gave his own account of his exile in an effusive speech made first to the senate and then in a similar address to the people. The two speeches are particularly significant for the degree in which they differ from the reality of Cicero's reaction to exile¹³⁴, but that is because Cicero found in his speeches the opportunity to create his own myth surrounding his

¹³²Laurence, R., "Cicero hits the road" *Omnibus* 31 (1996) 25ff.

¹³³In fact, the crowds were so great that they caused a grain shortage, the news of which prompted Cicero to propose that Pompey be appointed to supervise the grain supply, with extraordinary powers

¹³⁴See Stockton, D., *Cicero: A Political Biography*, 188, on how Cicero is not to be relied upon for the truth, particularly in his unfairness to Piso.

banishment¹³⁵. Through the speeches, Cicero set about the arduous process of damage-limitation, recovery of status in the eyes of the Roman aristocracy and the common people, repossession of his property and vengeance on those who had done him down. It was a process for which he was particularly well-equipped, especially with regard to his oratorical gifts, yet one wonders what fear or foreboding remained in the mind of the newly returned exile. In essence, his return to Rome was analogous to the rebuilding of the homes that Clodius and his henchmen had wrecked. Just as those homes, which Cicero had cherished so highly, would never be quite the same, so the *dignitas* and *existimatio* of Rome's saviour would never attain the same measure of respect¹³⁶. He was a long way from being simply yesterday's man, but he was just as far from being the brightest star in the new constellation. The competition for pre-eminence was now between Pompey and Caesar.

Cicero's speeches were intended as *apologias*, in which his aim was self-justification - to the detriment of his political opponents. Just as his letters to Atticus suggest that he might have wanted to hold first place in misery, Cicero shows here that he also wants to hold first place in triumphant return from exile. He lauds his recall as the finest in the history of any Roman leader who had returned from banishment. He makes repeated assertions that his voluntary exile was a self-sacrifice through which he saved the Republic yet again from destruction. He relates how he had saved Rome from Catiline in 63 and had averted for a second time the city's ruin by going into exile. Clodius, in collusion with the most wicked consuls in Roman history had vowed to destroy him and the state and, in order to prevent a dreadful civil war, Cicero went into exile of his own free will. He boasts in the *Post Reditum ad Quirites* (1.1-5)

¹³⁵See Fuhrmann, M., *op. cit.*, 95.

¹³⁶A parallel can be seen in the exile of Alexander Solzhenitsyn, whose wife Natalya planned the writer's return to Russia and lambasted the builders who had failed to complete work on the grand *dacha* which was intended as a peace offering for the dissident hero.

that it was the people who restored to him the Republic that he once saved, to his children and to his former eminence. He likens his return to a recovery from sickness.

Cicero says that far from damaging it, his recall has actually added to his reputation, especially since it was not the result of intercession by numerous kinsfolk, as in the cases of Popillius and Metellus Numidicus, nor of his own aggression, as in the case of Marius. Cicero states his friends were ready to die for or with him; but he did not want to fight it out with arms, in which case, win or lose, the Republic would suffer. But, since there was bloodshed in his absence, the people felt bound to restore him, in order to restore the Republic. This assertion of "*L'Etat, c'est moi*" is repeated throughout Cicero's speeches immediately after his return from exile in much the same way that Conrad depicts the exiled Razumov in *Under Western Eyes*: "Russia *can't* disown me. She cannot!'. Razumov struck his breast with his fist. 'I am *it*.' "¹³⁷

Cicero also outlines four kinds of enemies: those who want the destruction of the Republic; false friends; the envious and the lazy; and magistrates unworthy of trust. Naturally, Clodius is the main target, but Cicero's invectives against Piso and Gabinius also exhibit the bile of one forced to endure the bitterness of exile¹³⁸. It was a tradition in Roman politics to revile publicly one's *inimici* and Cicero, who was to lambast the two former consuls for the next three years in his speeches, upholds it indefatigably with a wide range of insults. For example, Gabinius is branded Catiline's curly-haired pantomime dancer, a pervert and spendthrift, while Piso is denounced as hypocritical, stupid, tongue-tied, an ignoramus at soldiering, an insensitive, uncultured boor, immoral in his private life, anti-social, miserly, mindless,

¹³⁷Conrad, J., *The Works of Joseph Conrad* (London: reprint of Dent Uniform Edition, 1946) 209.

¹³⁸Piso and Gabinius are particularly singled out in the *refutatio* of the *Post Reditum in Senatu*.

colourless, churlish and stick-like¹³⁹. Uncannily similar vituperation can be easily detected in modern-day political diatribes, though they tend to be tempered somewhat by the laws of slander and libel¹⁴⁰. Yet, Cicero could also be comparatively generous in his commendation of those whom he might have originally thought adversarial. Two men related to Cicero's *inimici* won his special gratitude for supporting efforts for his recall. His son-in-law C. Calpurnius Piso Frugi, a blood relative of Cicero's enemy L. Calpurnius Piso, worked tirelessly on Cicero's behalf. The conduct of Q. Caecilius Metellus Nepos was also a pleasant surprise for Cicero (*Post Reditum in Senatu* 10.25).

Cicero shows in these speeches that exile had not blunted any of his rhetorical skills or his use of the Latin tongue, a complaint that is made later by both Ovid and Seneca¹⁴¹. His enemies would have remarked equally, however, that it had not diminished his bragging nature. This is certainly true of his speech *De Domo* in which he displays huge confidence because he knew he had strong political backing through important figures such as Pompey, as well as the emphatic majority vote of the senate. His vaunts within all the speeches, but particularly the *De Domo*, are the antithesis of his self-pitying prose in the letters from exile, yet there is still a pronounced bitterness when he addresses such subjects as Clodius putting forward the bill that took away Cicero's citizenship (*De Domo* 30.79). His proud statements in the *Post Reditum Ad*

¹³⁹See MacKendrick, P., *op. cit.*, 125.

¹⁴⁰A modern-day example of such a tradition is afforded by an article in *The Sunday Times*, March 3, 1996, on the former prime minister of Australia, Paul Keating, whose own supporters denounced him, just as members of the senate probably had Cicero, as "arrogant, going on insufferable". In one speech, Keating used just the same kind of invective as Cicero when he called his political enemies: "Harlots, scumbags, a pack of pansics, unrepresentative swill, perfumed gigolos, stunned mullets, gutless spivs, vermin who think they are born to rule, dummies and dimwits...who could not raffle a chook in a pub...or operate a tart shop." Interestingly, Mellor, R. *Tacitus* (London: Routledge, 1993) 132, makes the point that Cicero's own personal scathing attacks on his enemies show the relative gentility of most modern political polemic and adds that Tacitus later consciously avoided the *ira et studium* style of Cicero.

¹⁴¹See Shackleton Bailey, D.R., *Cicero Back From Exile: Six Speeches upon his Return* (New York: American Philological Association, 1991) 4, who states: "And whatever Cicero's exile had done to him, it had not deprived him of his command of Latin words"; and Rawson, *op. cit.*, 114, who calls the speeches "highly rhetorical *apologias*".

Quirites, which are generally positive and self-publicising, also remind one of nothing less than a politician on the stump. He has had time to consider how exactly to win over the people, as well as securing his future, and he is looking to revive his prolific career. The truth is, however, that Cicero must have been in a real quandary, since he certainly wished to rehabilitate himself politically, yet part of the arrangement that had brought about his recall involved him having to give profound assurances that he would not interfere in the aims of the dynasts.

EFFECT OF EXILE

If 63 represented a positive turning point in Cicero's career, then the year 58 was the nadir. As Nisbet states: "The bitter experience of exile on Cicero was shattering and was to affect him for the rest of his life, both politically and psychologically"¹⁴². The Rome to which Cicero returned was not the Rome that he had led in 63 and the recalled exile was to witness Caesar's star in the ascendant¹⁴³. Cicero ought to have realised just how radically the complexion of the political scene had changed, even during the comparatively short time that he was away from Rome, and he should have tempered somewhat the euphoria he felt on his triumphant trek from Brundisium to the capital. If anything, the recall had been too triumphant for Cicero's own good and he should have learned more from the sense of despair and humiliation that were very much part of exile¹⁴⁴. His exile in Macedonia should have given him sufficient time to realise that although he may have been a scheming politician, subsequent events had surely shown that he simply had not schemed sufficiently to prevent his goals being overtaken by the ambition of others, particularly

¹⁴²See Nisbet, R.G.M., *Cicero: In Pisonem* (Oxford: OUP, 1961) intr. xvi.

¹⁴³See Smith, R.E., *op. cit.*, 163.

¹⁴⁴MacKendrick, P., *op. cit.*, 138, speculates that Cicero may even have hoped for at least an *ovatio* on his return from exile, if he was so pathetically eager for a triumph on his return from Cilicia in 50.

Caesar, who has been described as probably the only man with clear ideas and aims at the time¹⁴⁵. The drive to be foremost, which had carried Cicero to the consulship, was as strong as ever, yet his inner confidence was never quite restored. This is seen in his attitude towards Caesar once he had been recalled. Caesar's role in his exile should have made the two bitter *inimici*, yet Cicero claimed that, in subordinating his *inimicitiae* to the interests of the Republic, he was following the example of some of Rome's greatest heroes. Cicero turned his defence of Caesar's interests in the *De Provinciis Consularibus* to his own advantage with a ready response to the dubious: his primary concern was with the public good (*communis utilitas*), not his private resentment (*dolor*)¹⁴⁶. The truth is that after his recall, Cicero was figuratively tethered. He had previously exhibited such independence to speak his mind freely in the senate, to have regard rather to the interest than to the will of the people, to give way to none and to stand in the path of many, not least in his relationship with Pompey, and after his return from exile he hoped to resume it, but he was soon reduced to silence or subservience¹⁴⁷. Cicero represented the most prominent victim of the new alliance and was forced to retreat ignominiously. He was so shaken that he went beyond neutrality: he became the spokesman of the three in the senate and in the courts.¹⁴⁸

Cicero had tried to cover up his true personal feelings through the public sentiments of his post-exilic speeches. It is interesting to consider how one so sensitive to his recent vicissitudes could have balanced mentally the effect of exile with the pressing requirement of presenting a strong image of himself to the Roman people. Cicero himself stated in the *De Oratore* (2.62) that an author must not dare to tell anything but the truth and that he must

¹⁴⁵See Fuhrmann, M., *op. cit.*, 97.

¹⁴⁶See Epstein, D.F., *op. cit.*, 15.

¹⁴⁷See Brunt, P.A., *The Fall of the Roman Republic* (Oxford: OUP, 1988) 328.

¹⁴⁸See Habicht, C., *op. cit.*, 52.

make bold to tell the whole truth: *quis nescit primam esse historiae legem, ne quid falsi dicere audeat? deinde ne quid veri non audeat?*¹⁴⁹. But there was a more disturbing, post-exilic state of mind than the simple covering up of the truth about his feelings in banishment. His private despair was caused by the fact that, as a brilliantly-talented, self-made man, he had seen everything he had worked for destroyed - his ascent to the *nobilitas*, his hopes for his family and especially his brother, his standing as a character of *dignitas*, *auctoritas* and *gratia* (*De Domo* 37.98). As much as anything, he was afflicted by the deep sense of shame inherent in the sentence of exile. This was primarily because he had suffered an almost calamitous sense of dishonour. Cicero had once commented that it was a rhetorical trick to call people who went to political meetings "exiles, slaves, madmen"¹⁵⁰ - now he was included within that list. No matter how much he tried to argue later that, in his case, *exilium* was the consequence of virtue, not vice, and therefore a sense of glory more than shame (*De Domo* 27.72ff), he could not escape the disgrace and rejection that the sentence embodied. He states that no stigma attached itself to Clodius' own father after he had been legally convicted, so why should one attach itself to Cicero (*De Domo* 31.83)? Yet there can be little doubt that Cicero did indeed feel tarnished by the whole episode. This is patently clear when one reads how he studiously avoided using the word *exilium* in his later works, while his enemies would continue to taunt him with the pejorative connotations of exile (e.g. Clodius, *De Domo* 27.72; Crassus, Dio 39.60.1; Gabinius, *Q. Fr.* 3.2.2).

The stigma of Cicero's exile remained in succeeding generations. The author of the *Invectiva in Ciceronem*, though perhaps a contemporary of Augustus, attempted to reflect the values of the late Republic when he accused Cicero, just returned from exile, of being suppliant to his *inimici* and insulting

¹⁴⁹See Mellor, R., *op. cit.*, 35; also Goodyear, F.R.D., *op. cit.*, 29.

¹⁵⁰Brunt, P.A., *Social Conflicts in the Roman Republic* (London: W.W. Norton & Co, 1971) 137.

to his friends, a remark intended as a great insult ([Sallust] *Invectiva in Ciceronem* 5; 7)¹⁵¹. Dio also records a conversation between the recently exiled Cicero and a certain Philiscus in which Cicero asks whether it was not a terrible misfortune for a man to wander about as an exile, a laughing stock to his enemies and a disgrace to his friends. Dio probably invented the story, but Cicero's sentiments are correctly portrayed if one considers the suicidal agony of his letters (Dio 38.23.1)¹⁵². Cicero's bitterness over his exile is also expressed in the joy he showed when he heard that the consular L. Calpurnius Piso had lost his army and on the announcement of the death of Clodius. Piso, who had collaborated with Clodius in exiling Cicero, lost his army while governor of Macedonia. Cicero appears quite callous when he admits that the magnitude of the disaster was beyond his hopes, but in accordance with his wishes (*in Pisonem* 95). If Cicero could gloat publicly on this occasion, it is hardly surprising that he openly rejoiced on the death of his great *inimicus* and the person who primarily brought about his exile, Clodius (*Phil.* 2.21)¹⁵³.

Traditionally, Cicero was pilloried for the attitude he showed towards his own exile and even some modern commentators have been unstinting in their vilification of him. However, some positive aspects can be discerned from his period in exile. One such aspect is Cicero's single-mindedness to achieve a recall to Rome, but the most positive is in Cicero's feelings towards his family and, in particular, Quintus. The interaction and mutual concern between the brothers at this time of torment is especially moving. Quintus took a leading role in the campaign for his brother's restoration and was almost killed in the rioting fomented by Clodius to block a motion to recall Cicero¹⁵⁴. Quintus

¹⁵¹See Epstein, D.F., *op. cit.*, 22.

¹⁵²On Philiscus, see Millar, F., *A Study of Cassius Dio* (Oxford: OUP, 1964) 49ff.

¹⁵³See Epstein, D.F., *op. cit.*, 22.

¹⁵⁴See Shackleton Bailey, D.R. ed., *Cicero: Epistulae ad Quintum Fratrem et M. Brutum* (Cambridge: CUP, 1980) intr. 4.

went so far as to offer to share Cicero's exile if he could not have him back. Even when Cicero had taken possession of his brother's money, Quintus, far from resenting this misdemeanour, offered to lend more, though he himself was in financial difficulties. After his brother's return from exile, Quintus would willingly have let the debt stand, but in fact it was paid off gradually. Conversely, the sense of shame Cicero felt in his abject state while in exile manifested itself when he sorrowfully refused to meet the younger brother he had always overshadowed because he would find the occasion too painful. Cicero was later to expatiate in the *pro Sestio* on the miseries his exile had brought to Quintus as well as to himself. He named Quintus as the best of brothers, who showed incredible devotion and unheard of love, while wallowing in great squalor at the feet of their worst enemies (*pro Sestio* 145)¹⁵⁵.

The opposite might be said in Cicero's attitude to his wife, Terentia. It is particularly noteworthy that, while Cicero states in the *Post Reditum in Senatu* how much his recall means to his brother and his children, he does not mention his wife. It is also significant that the person from his immediate family who met him on his return at Brundisium was Tullia, not Terentia. It has been remarked that Terentia had behaved very energetically and had suffered courageously for her husband¹⁵⁶, and Cicero does appear to be genuinely moved by her steadfastness when he writes affectionately to Terentia about the house and says he appreciates the competence that she has been showing, in spite of her ill-health¹⁵⁷. But the letters to Atticus, in which Cicero repeatedly

¹⁵⁵The fraternal bond was also strengthened by their shared anxiety when Clodius threatened to prosecute Quintus for his administration of Asia after his return in 58.

¹⁵⁶Boissier, G., *Cicero and his Friends* (tr. by Jones, A.D., London: Ward, Lock and Co Ltd., 1930) 93.

¹⁵⁷On learning about the manner in which she had been treated, he wrote to her despairingly, saying how wretched he felt and he questioned why a woman so virtuous, so honourable, so gentle, so devoted, should be so tormented for his sake (*Fam.* 14.1). On another occasion, he states that he has nothing dearer than her, that he can see her before his eyes and that he cannot keep himself from

mentions Quintus and says little of Terentia, tell a different story. Terentia is also said to have complained of the brevity of his letters and urged him to write to others too, and it is possible that she had little sympathy with failure and depression¹⁵⁸. This is in keeping with the poor image of Terentia presented by Plutarch¹⁵⁹. It has been conjectured that the failure of Cicero's relationship with Terentia, which may have been the beginning of the estrangement that ultimately led to divorce, was rooted in money troubles and that Cicero was less than happy with the way his wife managed his finances during his time in exile¹⁶⁰. Such an emphasis on business, rather than emotional, matters would concur with the view expressed in the previous chapter on the change in status of husband-wife relationships later in the principate.

There is the complaint that Cicero did not put his brilliant mind to more constructive use during his time away from Italy, as Ovid later did¹⁶¹. It is true that if any Roman of his day could have found support and solace in philosophy, then it should have been Cicero, but this resource totally failed him. Perhaps this is one of the considerations that prompted him to compliment Gaius Memmius on the philosophical spirit he was displaying during his exile:

weeping (*ibid.* 14.3). On yet another occasion, he writes with still more that he wished to see her once more and die in her arms (*ibid.* 14.4).

¹⁵⁸See Rawson, E., *op. cit.*, 119.

¹⁵⁹Plutarch suggests that, just prior to the *Bona Dea* scandal, Cicero's wife was extremely jealous of Clodia, the sister of Clodius (*Cic.* 29). Terentia suspected Clodia of wanting to marry Cicero and thought that she was trying to arrange this with the help of a man called Tullus who was on particularly friendly and intimate terms with Cicero. Terentia's suspicions were aroused by the way in which Tullus kept on visiting and paying attention to Clodia, who lived close by. The historian suggests that Terentia's "violent will", which held sway over Cicero, led to him joining the attack and giving evidence against Clodius over the scandal. Just how genuine Plutarch's account might be is open to doubt, but it would go some way to explaining the later frosty relationship, if the correspondence is anything to go by, between the couple.

¹⁶⁰See Shackleton Bailey, D.R., *op. cit.*, 77. There is actually a gap of six years in the correspondence between Cicero and his wife. It re-commences at the time Cicero left Rome, to go and govern Cilicia, but the tone is very much changed. In the single letter remaining to us from this date, affection is replaced by business.

¹⁶¹However, Barsby, J., *Ovid* (Oxford: OUP, 1991) 44, remarks on how Cicero's letters from exile provided a possible prose precedent for Ovid in creating a poetry of exile. Barsby also comments on the "number of striking parallels between these and Ovid's exile poems (*Att.* 3.7.2/*Ex Ponto* 1.9.21f, *Att.* 3.8.4/*Ex Ponto* 1.1.61)".

Etsi non satis mihi constiterat, cum aliquane animi mei molestia an potius libenter te Athenis visurus essem, quod iniuria, quam accepisti, dolore me afficeret, sapientia tua, qua fers iniuriam, laetitia, tamen vidisse te malletm (Fam. 13.1)¹⁶². Cicero was also to touch on the subject of exile in the fifth book of his *Tusculan Disputations* (5.36.105ff), where he argued, just as Seneca did a century later, that banishment scarcely differed from a lengthy journey and one's fellow-travellers, *paupertas et ignominia*, were no real evil to the wise man. But by the time Cicero wrote that, his own exile, the most suitable occasion for such reflections, already lay ten to thirteen years in the past. The fact remains that Cicero did write a substantial amount while in exile: what he did not do was try to control his grief by following the precepts of the exilic tradition.

¹⁶²Memmius went into exile at Athens after being accused of bribery. In Athens, by a decree of the Areopagus, he obtained possession of a ruinous house, which once belonged to Epicurus. He intended to pull it down and build on the site, but subsequently abandoned that intention. The Epicureans at Athens wanted the house back, Memmius refused and went to Mitylene. Memmius' chief claim to distinction is that Lucretius' *De Rerum Natura* was addressed to him (*De Rerum Natura* 1.26-27).

CONCLUSION

It is true to say that Cicero's exile was "relatively brief and comfortable", particularly when compared to the fates of exiles during the Julio-Claudian Dynasty¹⁶³. In reality, there was little danger, if any, to him. He did not have to bear arms against anyone who was out to kill him for being an exile and he had more than adequate funds to finance his journey to Dyrrhachium and thence to Thessalonica and back. The place he stayed in in Thessalonica, until he decided to return to Dyrrhachium, was not some hovel, but the official residence of the Macedonian quaestor. In fact, one suspects that Cicero did not have to "rough it" at any time during his banishment. The frequency of his correspondence while on the road and in official foreign residence shows that he still retained the drive to work in a single-minded way for his recall. Though the correspondence is riven with complaints and misery, it is still the product of a person capable of strong action and a sense of urgency potent enough to strive for a positive solution. His immediate response to unfair attacks that he might have become worryingly underweight and close to insanity attests to the authenticity of his correspondence. There is no poetry, in a literal or figurative sense, in Cicero's writing from exile, but he had no intention of conveying himself as a *poeta exul*, as Ovid was to do during the Augustan age. It is perhaps this consideration and comparison which has led so many scholars to denigrate what Cicero did write at the time of his exile. As an example, Smith admits: "It is easy to criticise Cicero on the evidence of intimate letters never intended for our eyes, and to argue that they reveal a mercurial quality of character which must be considered a weakness in one who sought to be a leader." Yet shortly afterwards, he writes about Cicero's "weak-sounding

¹⁶³See Block, E., "Poetics in Exile: An Analysis of *Epistulae ex Ponto* 3.9," *Classical Antiquity* 1 (1982) 18.

dirges and complaints"¹⁶⁴. It is a contradiction in terms to talk one moment of "intimate letters never intended for our eyes" and in the next to describe them as "weak-sounding dirges", with the implication that they should be harmonious, almost musical, pieces of work intended for a wider audience. They were simply the writings of a fraught mind with one clear objective and it is wrong to judge them by the same criteria that we do for the likes of Ovid or any other exile who had time to hone carefully crafted works in the full knowledge that they would eventually be published. If one is to judge Cicero on the way his pen reacted to exile, rather than the man himself, it should be through the speeches he made on his return to Rome and in subsequent works which allude to the state of banishment, such as the *Tusculan Disputations* or the *Paradoxa Stoicorum*.

The "myth-making" element of Cicero's speeches on his recall are a typical response of the returned exile. Recently, Imelda Marcos, now restored to the senate of the Philippines, asserted that she and her deposed dictator husband, Ferdinand, were tricked into leaving office and spending their time in exile in the United States. In fact, they had left voluntarily prior to the probability of their being deposed and convicted of crimes which occurred during Marcos' presidential imposition of martial law¹⁶⁵. The Marcoses' involvement in illegal acts were proportionally far worse than Cicero's issuing of the *scu* and his action taken against the five conspirators, yet both cases illustrate that, given a sufficient timespan, oratorical technique and the credulousness of a willing public, attempts to create a new reality can take place. The truth is that contemporaneous evidence represents the surest testimony of reality. Just as the reality of the Marcos regime exists in the death

¹⁶⁴Smith, R.E., *op. cit.*, 159-160.

¹⁶⁵News report from Associated Press, February 19, 1996.

and prison sentences that the government passed at the time, the reality of Cicero's exile is witnessed in his letters, not in his post-exilic speeches.

Cicero's authentic feelings in banishment are available to us because his desperate letters were later published against his will. It is thanks to Atticus - one of the few people who emerges from this crisis in Cicero's life with any real honour and on whom Cicero fixed his deepest emotional dependence - that the letters were preserved and we are thus given this insight into how the orator's mind worked during his exilic plight. As L. Laurand put it: "Never was any man so cast down. He sighs, he weeps. He writes pitiable letters, which unfortunately for his reputation his correspondents carefully preserved. They have been delivered to posterity, for whom they were by no means intended."¹⁶⁶ Such publication of what were private letters may have been done to gratify the hate of an enemy hostile to Cicero's memory and if one accepts this view, any criticism of his "works from exile" must surely be negated. Cicero never intended to publish any of his writing from exile - certainly not without extensive amendment - he merely sent private correspondence with a view to getting back to Rome. As such, his letters carry even more poignancy than if they had been intended for publication because they articulate the frustrations and imprecations of one of the world's most accomplished men at his wits' end. As Nisbet put it, "The distress of these months, the loss of home and country, desertion and betrayal were experiences quite exceptional in their bitterness."¹⁶⁷

The worst effect of exile was on Cicero's mind and his perceived standing in Rome. There is a consensus of opinion among scholars that his voluntary exile was a severe experience, the scars of which never fully

¹⁶⁶Laurand, L., *Cicéron, Vie et Oeuvres* (Paris, 1933) 41.

¹⁶⁷Nisbet, R.G.M., *De Domo Sua* (Oxford: OUP, 1939) intr. xix.

healed¹⁶⁸. This was especially so because of Cicero's extremely volatile character. The shift from being the saviour of Rome and the Republic to being an outlaw was overwhelming. Yet the very reason for his exile was the cause of his recall - his political eminence. In this respect, he was luckier than those who were to follow him in the following century. Political eminence during the principate was to become the cause of much worse fates and was to lead to death and perpetual banishment, rather than a sentence which lasted around eighteen months. This was because the "*L'Etat, c'est moi*" attitude was to become a reality under the monarchical system of the emperors. That is why Ovid, who could only appeal to the same omnipotent dynast who had exiled him in the first place, was left to languish in Tomis, and why Seneca was only able to return to Rome on the expiration of the emperor who had banished him and because he had submitted to becoming a tool of the imperial family. Ovid, certainly, lacked friends in high places who might have been able to secure his recall, whereas Cicero had actually represented one of the highest places in Roman society.

In creative terms, Cicero's exile provided a firm example to those Romans who were to follow during the Julio-Claudian Dynasty. Even if his attitude did not represent a template of the Roman in exile, the depiction of his psyche was to be used as a prototypical example - to be followed in some respects, to be studiously avoided in others. Both Ovid and Seneca show how Cicero's banishment influenced their own literary reactions to their plights just as the expatriate James Joyce influenced Irish letters or the exile Bartok had a profound effect on modern Hungarian music. It is the portrayal of the psyche in exile, as opposed to the surroundings or the memory of home itself, which has the deepest effect on subsequent writers who find themselves banished. An

¹⁶⁸See Stockton, D., *Thirty five letters of Cicero* (Oxford, OUP, 1969) intr. xvii.

exile such as an Ovid or a Seneca probably derived some degree of comfort from the knowledge that he was not the first Roman to suffer such a fate, combined with the belief that the sentence went beyond the *error*. He would also have learned from the mistakes of those who had preceded him in terms of writing and was to show a more steadfast attitude to exile itself.

When recalls occur - as they do with increasing rarity - during the ensuing Julio-Claudian Dynasty, they contain nothing of the triumphalism of Cicero's own return to Rome. Never again would any recalled exile dare to say: *omnes principes civitatis, omnes ordinum atque aetatum omnium suffragium se non de civis, sed de civitatis salute ferre censebant* (*De Domo* 33.90). In fact, there is something of a prophetic quality in many of Cicero's words from the post-exilic speeches. One assertion succinctly evokes propagandistic sentiments that are not hard to imagine coming from the mouths of Augustus and his successors: *extinctum est iam illud maledictum crudelitatis, quod me non ut crudelem tyrannum, sed ut mitissimum parentem, omnium civium studiis desideratum, repetitum, arcessitum vident* (*De Domo* 35.94); and how true are Cicero's words when he states: *si una cum bonis interissem, nullo modo posse rem publicam recreari* (*De Domo* 36.97).

Though victims of exile, like Cicero, who bemoaned their plight were not to realise it, the sentence of banishment, which had assumed the mantle of the worst punishment under the Republic, was to become increasingly more severe. As one historian, describing the difference between banishment during the Republic and the Principate, puts it: "Then almost all who were convicted forfeited citizenship but enjoyed a comfortable exile. Now exile was a more

wretched fate."¹⁶⁹ This was soon to become apparent under the reign of the first emperor.

¹⁶⁹Brunt, P.A., *Roman Imperial Themes* (Oxford: OUP, 1990) 71.

EXILE UNDER AUGUSTUS

Sed laetum eum atque fidentem

et subole et disciplina domus

Fortuna destituit. Iulias, filiam

et neptem, omnibus probis

contaminatas relegavit.

Suetonius, *Divus Augustus*, 65.

It would be fallacious to argue that Augustus intended to make exile "a more wretched fate" for his victims as soon as he gained overall power in Rome. The disruptive nature of events following the assassination of Julius Caesar and the ensuing civil wars precluded any concerted change in policy as far as legislation covering exile was concerned. Once his nomenclature had changed, however, the *princeps* was able to concentrate on securing his power base, a process which included the crushing of potential rivals, a propaganda campaign to project a more paternal image and a general tightening of moral legislation. The sentence of exile was to play a significant role in achieving these measures.

Augustus' reign has understandably been one of the most thoroughly discussed periods as far as Roman history is concerned, but Syme makes a salient point when he states: "In notable aspects the long reign of Caesar Augustus remains highly obscure. Whereas hitherto transactions of moment, although liable to distortion, had not defied ascertainment, the advent of centralized authority brought with it barriers and concealment, as suited the ruler and his allies in power. Facts were either suppressed, or, if published,

subject to disbelief."¹⁷⁰ This last remark should be borne in mind as far as an analysis of exile during the Augustan principate is concerned, particularly since the major victims of banishment were closely connected to the imperial household.

The history of Augustan exile begins with Octavianus/Augustus gaining full control of Rome after the Triumviral period. The sentence of exile was passed initially against principal political opponents, such as Marcus Aemilius Lepidus. Then followed a period of opposition, which led to several plots against Augustus' life; the introduction of moral legislation, which incorporated the sentence of exile for adultery; and the fall of various members of the imperial family and persons of aristocratic birth through reasons of adultery and/or conspiracy. Like Octavianus/Augustus, the sentence of exile underwent a significant change in the turbulent period between the end of the Republic and the establishment of the principate. It would be helpful to investigate the parallel, starting just after the assassination of Julius Caesar when events led to acts, which, even Augustus was later to acknowledge, went beyond the law.

No one was arrested for the assassination of Julius Caesar¹⁷¹. By the time Caesar's nineteen-year-old heir had reached Rome, he was proclaiming his adoption by using the name C. Iulius Caesar Octavianus and the main conspirators, Brutus and Cassius, were able to remain free from indictment. On June 5, at the instigation of Antony, they were given responsibility for the Asian and Sicilian corn supply, though this ostensibly complimentary task has been seen as "really an honourable pretext for exile"¹⁷². Eventually, however, they headed for Macedonia and Syria, instead of their assigned provinces of

¹⁷⁰Syme, R., *The Augustan Aristocracy* (Oxford: OUP, 1986) 13 (afterwards *TAA*).

¹⁷¹Brunt, P.A., and Moore, J.M., *Res Gestae Divi Augusti* (Oxford: OUP, 1967) 40, make the point that "tyrannicide was not a crime, but the duty of a citizen".

¹⁷²Syme, R., *The Roman Revolution* (Oxford: OUP, 1939) 116 (afterwards *TRR*).

Crete and Cyrene. Part of the reason lay in Brutus' determination not to provoke further civil war, even if it meant going into voluntary exile. The last edict of the Liberators, recorded by Velleius Paterculus, attests to this: *libenter se vel in perpetuo exilio victuros, dum res publica constaret et concordia, nec ullam belli civilis praebituros materiam* (Velleius Paterculus 2.62.3). After the second triumvirate was established on November 27, 43, Q. Pedius carried a measure which revoked the amnesty granted in 44 to Caesar's assassins. It set up a special tribunal, outlawing the two principal Liberators, along with Sextus Pompeius. Under the *lex Pedia*, the assassins were declared exiles and Augustus later wrote: *Qui parentem meum trucidaverunt, eos in exilium expuli* (*Res Gestae* 2). The words were to appear on two bronze pillars set up in Rome and the alliterative, emotional expressionism of the term *eos in exilium expuli* with its sense of driving these criminals into exile, combined with the use of the first person, made for great propaganda, which was also very public, thanks to its monumental positioning. By phrasing his words so explicitly, Augustus was saying that he had personally avenged the exiles' crime through tribunals established by law, the implication being that he dutifully began avenging his adoptive father's murder in a legal fashion and under the guise of the Republic¹⁷³.

However, no facade of Republican procedure could disguise the fact that the alliance between the new "gang of three" led to ruthless proscriptions and brought about the deaths of 300 senators and 2,000 knights. Among those murdered was Cicero - he was not afforded a second chance to go into exile. Rome was once again in turmoil and the rule of law was suspended. The blood of many politicians flowed so freely that one wonders how many sought escape

¹⁷³This depiction of Augustus' individual execution of his duties correlates with Zvi Yavetz's exposition of the emperor's implied possession of *imperium* in "The *Res Gestae* And Augustus' Public Image" contained in Millar, F. and Segal, E. ed., *Caesar Augustus: Seven Aspects* (Oxford: OUP, 1990) 10.

through exile. Here, Syme's remark on the suppression of facts has even more relevance, since the truth about the number of exiles has never been revealed. An example of how fact became enveloped in untruths is afforded by the story of the *praetor* Quintus Gallius, whose demise in 43 is cited by Syme as "legal murder"¹⁷⁴. Accounts differ and suggest, on the one hand, that Gallius was executed and, on the other, that he was exiled and met his death at sea¹⁷⁵. Augustus clearly felt that the story could not be ignored altogether and a new version had to be produced to absolve himself of responsibility. In order to survive five civil wars, Augustus had had to be firm and ruthless, but he must have found out to his distress that he had acquired a reputation as a cruel, vengeful, selfish, and treacherous youth. It was an image that had to be changed. It was not easy to alter public opinion, and he could not become *clementissimus* overnight, but slanders had to be refuted immediately, even if it meant careful sifting of the facts to present an account that was to show the new *princeps* in a positive light¹⁷⁶. One can see how the truth might be changed to suit the ruler, just as it was altered in Cicero's post-exilic speeches. Gallius' story is indicative of the triumviral despotism which led to the widespread exile from Italy of *nobiles* - both ex-Pompeians and adherents of Caesar - as well as their political enemies¹⁷⁷. It was only after a period of ten years that some of them dared to return, and managed to achieve restitution of their property. Unfortunately, those who sided with the Liberators and Sextus Pompeius are generally grouped together by the ancient sources, so there is little or no indication of individual cases of exile from this time.

¹⁷⁴Syme, R., *TRR*, 187.

¹⁷⁵Appian (*Bellum Civile* 3.95) says Gallius had plotted against Octavianus and was condemned to death, but Octavianus spared his life and ordered him to depart to his brother, who was serving under Antonius. Gallius took ship and was never seen again. Suetonius (*Aug.* 27) gives two versions of the story. He agrees with the assassination attempt, but says that after Gallius had been tortured, Octavianus tore out his eyes with his own hands and ordered his execution. The other version, said by Suetonius to have been penned by Augustus himself, was that Gallius had made a treacherous attack, was dragged off to prison, tried and sentenced to banishment. However, he had lost his life, either by shipwreck or at the hands of pirates on his way into exile.

¹⁷⁶Millar, F. and Segal E. ed., *op. cit.*, 2.

¹⁷⁷See Syme, R., *op. cit.*, 197 and 199.

EXILE OF LEPIDUS THE TRIUMVIR

Many who had been directly involved in the power struggle fell from grace. Most notable among those who suffered exile at this time was the *triumvir* Marcus Aemilius Lepidus. His downfall occurred after he had confronted Octavianus in the summer of 36 BC¹⁷⁸. Octavianus did not have to wait long, however, before Lepidus' battle-weary troops came over to his side and soon Lepidus was left stripped of his army and pleading for his life. In a significant move, Octavianus spared his fellow triumvir and chose instead to exile him. It has been suggested that Octavianus could have used a trumped-up charge of treason to have Lepidus executed¹⁷⁹. By allowing his former colleague to live, Octavianus gained greater credit for his *clementia*, a quality with which he was keen to be associated throughout his reign¹⁸⁰. More importantly, Octavianus wanted the title of *pontifex maximus*, which Lepidus should customarily have held until his death, but if the younger man had killed the holder of the title, a stigma might have attached itself permanently to this honoured position, even though Octavianus considered it rightfully his by inheritance from Caesar¹⁸¹.

¹⁷⁸Lepidus had been assigned the *provincia* of Africa in 39. He refused to lend Octavianus assistance in the naval war against Pompeius, who held Sicily, and concentrated on building up his power in Africa. He eventually amassed sixteen legions, then sought to take over Sicily for himself with twelve of them. Eight Pompeian legions at Messana came over to him and Lepidus claimed the island as his own.

¹⁷⁹Weigel, R.D., *Lepidus The Tarnished Triumvir* (London: Routledge, 1992) 94.

¹⁸⁰A golden shield hung in the Curia displayed to senators the cardinal virtues inherent in the *princeps*: *virtus*, *clementia*, *iustitia* and *pietas*.

¹⁸¹Syme, R., *TAA*, 125, makes the point that an exclusive privilege appertained to augurs, which neither crime nor exile could impair: only death could take it away. There was also the danger of incurring the wrath of the gods. We cannot be sure just how genuine this latter consideration might have been, but Octavianus was always at pains to ensure that Rome's religious beliefs should be upheld and his behaviour throughout his principate was marked by his conservative attitude as far as matters of faith were involved. See Millar F. and Segal, E., ed., *op. cit.* 15, for Augustus' adherence to *mos maiorum* and the fact that, among his *honores*, more emphasis is placed on his being *pontifex maximus*, *augur*, *quindecimvir sacris faciundis*, *septemvir epulonum*, *frater arvalis*, *sodalis Titius*, and *fetialis*, than on his *imperium proconsulare*.

Accordingly, on his return from Sicily, Octavianus relegated Lepidus to Circeii, a place where the former *triumvir* apparently already owned an estate and which was near to Tarracina where Lepidus' ancestor of the second century had property (Dio 49.12.4). The small town situated in Latium was an ideal place for Augustus to keep an eye on his former rival and he stationed a guard at Circeii to observe Lepidus' activities and make sure that Rome was informed of them (Dio 50.20.3). As far as Lepidus was concerned, the disadvantage of the town's secluded position meant that he was cut off from all communication with the interior, but it was also close enough for Octavianus to bring him to Rome whenever he wished to do so. If the place of exile had been farther away, there was always the danger that Lepidus could have linked up once again with Antony or some other faction before Octavianus got word of his actions. The exile of Lepidus is recorded in Suetonius (*Aug.* 16) and Dio (54.15.5, in which the historian describes the insults hurled at Lepidus by members of the Senate) and the sentence is cited as one of the reasons put forward by Antony for the direct conflict between the two leaders, which led to the battle of Actium in 31 BC.

It was after Octavianus had prevailed over Antony at Actium that Lepidus' elder son (of the same name) planned to assassinate the victor in the summer of 30. The young Lepidus wanted to re-establish his father in his position of power and restore the family name, so he intended to murder Octavianus on his return to Rome from Egypt. However, Maecenas, who was in command at Rome during Octavianus' absence, got word of the plot and had the young Lepidus arrested and prosecuted. There is some doubt as to whether Maecenas had him executed at Rome because Appian says the young Lepidus was sent to Octavianus at Actium, but he certainly was killed for hatching the

plot in 30 BC¹⁸². The senior Lepidus' wife Iunia, was also implicated and was presumed to have known of her son's intentions but had not informed on him. To save Iunia the problem of travelling to Actium to appear before Octavianus, she was required to pay bail to ensure she would appear before him when he returned to Rome.

Iunia's indictment as an accomplice, while her husband was declared innocent by the accusers, indicates that she and her son must have been residing in Rome when Lepidus was in exile at Circeii¹⁸³. However, Lepidus was permitted to go to Rome to plead on his wife's behalf in front of Balbinus, a man he was said to have proscribed when in power. In his defence, Lepidus explained that he had not proscribed Balbinus and asked that he be allowed to serve as bond for his wife's appearance or to join her on her journey. Iunia was accordingly released from the requirements for bail¹⁸⁴. Two intriguing points emerge from this situation: firstly, that Lepidus, though relegated, was actually given permission to appear in Rome during Octavianus' absence, and, secondly, that he did not post bail¹⁸⁵. His appearance at the court hearing is explained by the assertion that it was by no means the only time Lepidus was allowed to go to Rome from his place of exile. According to Dio (54.15.4-6), Octavianus made Lepidus' life difficult by calling him to Rome and mocking him in front of the senate by getting him to vote on issues, though he was always made to vote last out of all the ex-consuls¹⁸⁶. Lepidus' retention of the title *pontifex maximus* - merely because he had not died a natural death - enraged Augustus

¹⁸²Velleius Paterculus (2.88) attests to the significance of the plot against Augustus.

¹⁸³See Weigel, R.D., *op. cit.*, 97.

¹⁸⁴We have no record about how long Iunia and her second son Quintus survived. See Weigel, R.D., *op. cit.*, 98.

¹⁸⁵If we can take Suetonius' account to be correct, Lepidus suffered *relegatio in perpetuum*, not *aquae et ignis interdictio*, and so would have been entitled to keep most of his property and his civic rights.

¹⁸⁶Octavianus' reaction to Lepidus accords with the general vilification directed towards the former *triumvir*. Cicero had called him *iste omnium turpissimus et sordidissimus* (*Att.* 9.9.1), while Decimus Brutus berated him as *homo ventosissimus* (*Fam.* 9.11.), and Tacitus later wrote *postquam hic socordia senuerit* (*Ann.* 1.9.4).

to the point that when Antistius Labeo proposed Lepidus' name for inclusion in the revised senate, Augustus threatened Labeo with punishment. The *princeps* only calmed down when Labeo pointed out that he had merely named a man whom Augustus permitted to remain *pontifex maximus*. Even though there is no evidence to suggest Lepidus carried out his religious functions as *pontifex maximus* during his period of exile, the sources would probably not have recorded such activity and it would seem unlikely. Augustus complains in the *Res Gestae* that the former *pontifex maximus* - he does not even deign to name Lepidus - seized the title *civilis motus occasione*¹⁸⁷. It is quite remarkable that Augustus allowed Lepidus such comparative freedom, though one suspects that the journeys made from Circeii to Rome included the attendance of one of Augustus' strongest and most fiercely loyal band of troops. In no other situation, as far as exiles during the entire Julio-Claudian Dynasty are concerned, do we encounter such visits to Rome unless it is to appear in court for increased severity of punishment or to act as a *delator*. It eventually took 23 years before Augustus was able to receive the honour he had so wanted. Lepidus' death occurred in late 13 or early 12 BC and the *princeps* was installed as *pontifex maximus* on March 6, 12 BC (*Res Gestae* 10.2).

Lepidus' case is anomalous in that it occurs amid possibly the cruellest period of Octavianus' involvement in Roman politics, yet even while he was ready to kill practically anyone who opposed his plans, he allowed the former *triumvir* to live. The key lies in the post of *pontifex maximus* - Caesar had won the office and the Iulii were an old sacerdotal family¹⁸⁸. Even though Octavianus believed that Lepidus had improperly assumed the title, he was unwilling to deprive him of it (*Res Gestae* 10). As Bowersock puts it: "The

¹⁸⁷See Raaflaub, K.A. and Toher, M. ed., *Between Republic And Empire: Interpretations of Augustus and His Principate* (London: University of California Press, 1990) 382.

¹⁸⁸See Syme, R., *TRR*, 68.

priesthood was simply too important to tamper with."¹⁸⁹ Other victims were disposable, but the post of *pontifex maximus* had a great deal of significance for the young Octavianus and his plans for a different, peaceful Rome.

PLOTS AND EARLY AUGUSTAN EXILES

One of Octavianus' closest associates, Gnaeus Cornelius Gallus, is also recorded as having the sentence of exile pronounced on him the year after the *princeps* had received his new title in 27. Born around 70/69 at Forum Iulii, Gallus was one of the most brilliant and versatile figures of his time¹⁹⁰. In 41, he was one of those appointed by Octavianus to distribute land in the north of Italy among his veterans¹⁹¹. A decade later, Gallus accompanied Octavianus to Actium and was given command of the army of invasion from Cyrenaica. After Antony's death, Gallus became the first prefect of Egypt in 30 BC and remained there for four years. The command in Egypt took on a special significance and was seen as a gift of the emperor with few holding its tenureship for more than three years¹⁹². However, Dio tells us that Gallus was accused of spreading insulting and disparaging gossip against the newly titled Augustus. Gallus was also said to have behaved with great arrogance after being given the governorship and "committed many other indefensible actions besides" (Dio 53.23.5-7). These included erecting statues of himself throughout Egypt and listing his achievements on the pyramids, which, ironically, was redolent of

¹⁸⁹See Raaflaub, K.A. and Toher, M. ed., *op. cit.*, 381.

¹⁹⁰He may have been instructed by the Epicurean Syron, along with Varus and Virgil. An equestrian, Gallus began his poetic career at about the age of twenty, winning the friendship of influential men such as Asinius Pollio (Cic. *Fam.* 10.32).

¹⁹¹He distinguished himself by the protection he afforded to Mantua and to Virgil for bringing an accusation against Alfenus Varus for unjust measurement of land. This prompted Virgil to dedicate his Tenth Eclogue to Gallus. Ovid was another literary figure to praise Gallus, who provided an important link between the Neoterics and later Augustan poets. Sadly, all that remains of Gallus' four books of elegies is one pentameter and some ten other lines. See Anderson, R.D., Parsons, P.J., and Nisbet, R.G.M., "Elegiacs by Gallus from Qasr Ibrim," *Journal of Roman Studies* 69 (1979) 125-55

¹⁹²Gallus' achievements included leading his army as far as the First Cataract of the Nile: *exercitu ultra Nili catarhacte[n] trans]ucto, in quem locum neque populo Romano neque regibus Aegypti [arma ante s]unt prolata, Thebaide, communi omni[i]um regum formidine, subacta* (ILS 8995, ll.4ff).

Augustus' own later *Res Gestae*. Syme brands Gallus as being "vain, eloquent and ambitious", postulating that it was either this combination of "ambition and imprudence" or Augustus' need to "discard an exorbitant partisan" which brought Gallus to grief¹⁹³. In general terms, the punishment inflicted by Augustus was *renuntiatio amicitiae* and in Gallus' case this meant exclusion from the house of the *princeps* and banishment from the imperial provinces (Suet. *Aug* 66; Dio 53.23.6). Augustus also stripped Gallus of his honours. The result was that the other leading senators ostracised him. Many joined in the denunciations and brought a string of other charges against Gallus, though neither the criminal proceedings nor the forum for them have been made clear. According to Dio, the Senate passed a unanimous vote that he should be convicted in a jury-court (a regular *quaestio* presumably), exiled, stripped of his property, which should have been handed over to Augustus, and that the Senate itself should offer up sacrifices. After being shunned by the aristocracy in Rome, Gallus evaded what would have been any greater dishonour by taking his own life before the decree came into effect. He committed suicide in either the second half of 27 (Jerome) or early 26 (Dio)¹⁹⁴. Gallus is said to have suffered his fate because he proved ungrateful and ill-willed towards his friend and benefactor: *ob ingratum et malivolum animum*¹⁹⁵. As Syme has indicated, Augustus could tolerate misdemeanour, crime or vice in his associates, providing that his own supremacy was not assailed¹⁹⁶. But Gallus' behaviour had gone beyond the trivial or verbal, to the point that Ovid described the offence as *temerati crimen amici* (*Amores* 3.9.63). The indictment brought against Gallus was clearly undertaken to secure Augustus' political standing

¹⁹³Syme, R., *TAA*, 7.

¹⁹⁴Syme, R., *TRR*, 309 n.2.

¹⁹⁵Raaflaub, K.A., and Toher, M. ed., *op. cit.*, 423.

¹⁹⁶Syme, R., *TRR*, 310. It is a view shared by Griffin, J., in "Augustus and the Poets: *Caesar Qui Cogere Potest*", contained in Millar, F. and Segal, E., ed., *Caesar Augustus: Seven Aspects* (Oxford, 1990) 215, who states that Gallus was "driven in the end to death by Augustus' insistence on a monopoly of glory".

and to pre-empt the possibility of further insurrection, particularly in Egypt. Naturally, the memory of Antony's alliance with Cleopatra would have been uppermost in the mind of the *princeps* and he would have viewed Gallus' arrogance as displaying a similar potential for aggression against his regime¹⁹⁷.

Augustus became increasingly suspicious about possible plots against his life and the threat of another conspiracy during the crisis year of 23, in which the *princeps* had fallen gravely ill and the new stability at Rome was seriously threatened, was not met with leniency. The plot was that of Varro Murena and Fannius Caepio. Their intention was almost certainly to restore the Republic, but it is uncertain just what their plans were beyond the assassination of the *princeps*. Augustus took stern measures to ensure that the perpetrators would not repeat their actions. In a situation that echoes Cicero's exile, Murena and Caepio did not stand their trial and absented themselves from the *nominis delatio* (the formal lodging of the charge), so that the case went by default and they assumed that they could go into exile. But, as Levick points out, they had not counted on Augustus' "vindictiveness": they were both sought out and killed¹⁹⁸. Dead conspirators offered even less of a threat than exiled ones.

Such expedient action shows a marked departure from the days of the Republic when the conspirators would have been permitted to go into voluntary exile. So why did Augustus feel obliged to take such summary action? One view is that the senate, mindful of the need for continued peace after the torments of civil war, sanctioned the executions of Murena and Caepio by its *publica auctoritas* and the unusual treatment of those convicted

¹⁹⁷Neither would Augustus have overlooked the similarity in the liaison between Antony and the notorious Volumnia Cytheris, who was later to become the mistress and poetical inspiration of Gallus. See Griffin, J., *Latin Poets and Roman Life* (London: Duckworth, 1985) 41.

¹⁹⁸Levick, B., *Tiberius the Politician* (London: Thames & Hudson, 1976) 74.

of *maiestas* was reinforced by a senatorial resolution¹⁹⁹. What is sure is that the executions of Murena and Caepio were a useful precedent which could be invoked if Augustus deemed it necessary to put down other conspiracies or uprisings. In effect, he now invoked the *senatus consultum ultimum*, by which Opimius had been acquitted for killing Roman citizens and, conversely, for which Cicero had been exiled. Augustus' new position of power ensured, however, that he would never suffer Cicero's fate of being exiled by the senate.

The acquisition of such power now meant that the firmer the grip Augustus had on Roman affairs, the more he felt able to take a measured approach to the opposition against him. It is clear that Augustus felt less inclined to use the death penalty, even though he had the authority to do so after the conspiracy of Murena and Caepio. On the contrary, it was now time to start demonstrating his capacity for *clementia* and to erase the bellicose image of Octavianus in favour of the more conservative Augustus. With this in mind, there are a number of minor examples of exile which highlight the new *clementissimus princeps*.

Suetonius gives the account of one unusual case when a Roman knight was sold, along with his property, at a public auction because he had cut off the thumbs of his two young sons to make them unfit for military service. When Augustus realised that some tax gatherers were intent on buying the knight, he demoted his status to that of an imperial freedman on the understanding that he should be banished to the country districts, but that he was to be allowed to live in freedom. Suetonius writes: *ut relegatum in agros pro libero esse sineret* (Aug. 24), which demonstrates a much lighter sentence than the *aquae et ignis interdictio*²⁰⁰. By showing his *clementia* in this case, Augustus might have

¹⁹⁹Syme, R., *TRR*, 133

²⁰⁰Indeed, it is more redolent of the administrative sentence of *relegatio* passed on Aemilius Lamia at

been responding to the point that many citizens, who had been involved in the fighting of previous years, were now opposed to Roman imperialism and that military service had become intensely unpopular during the Republican era²⁰¹.

Augustus' *clementia* seems to have played its part in another trial disclosed by Seneca (*De clementia* 1.15.2-7), who provides the information that the emperor participated in the trial of the son of L. Tarius Rufus (*cos. suff.* 16 BC). The son was convicted by the *iudicium domesticum* of plotting against his father's life. Had the son succeeded in his plot, he would probably have suffered the torments of the sack, the traditional penalty for parricides²⁰². However, Rufus survived the plot and his son was relegated to Massilia, the comfortable place of exile favoured during the Republic. In fact, Rufus was sufficiently forgiving to allow his son the same liberal yearly allowance that he used to give him before the trial. Seneca does not divulge just how much influence was exerted by the emperor, but he must have given his consent for the court to handle the case in the way it did.

Even direct opposition to Augustus was being dealt with in a much more lenient fashion. Suetonius writes: *Clementiae civilitatisque eius multa et magna documenta sunt* (*Aug.* 51) The unusual case of two plebeians is also mentioned: *Iunium Novatum et Cassium Patavinum e plebe homines alterum pecunia, alterum levi exilio punire satis habuit, cum ille Agrippae iuvenis nomine asperrimam de se epistulam in vulgus edidisset, hic convivio pleno proclamasset neque votum sibi neque votum sibi neque animum deesse confodiendi eum* (*Aug.* 51). Just what *levi exilio punire* might entail is uncertain, but it may have been similar to the sentence imposed on the unnamed

the time of Cicero's exile, as seen in the previous chapter.

²⁰¹See Millar F. and Segal E., ed., *op. cit.*, 9.

²⁰²Whereby the convicted person was tied into a sack with a monkey, viper, cockerel and a dog and then thrown into a large area of deep water.

knight above. What is anomalous about this case is that it is one of the few instances in the primary sources where plebeians are said to suffer a form of exile as a punishment, as opposed to the more usual penalty of being consigned to hard labour in the mines. If this case of *clementia* was deemed worthy of mention in Suetonius' account of Augustus, word of it would certainly have spread around Rome and so there might have been a propagandist motive behind it.

INTRODUCTION OF RELEGATIO AS A CRIMINAL OFFENCE

Augustus' intention to be seen to be acting with *clementia* coincided with an increasing emphasis on his role as a law-maker and an upholder of moral standards. Such an image was aimed primarily at creating a regenerative driving force, principally through family ties. The intention was to foster a profound sense of morality and patriotic identity in Rome, a movement to establish himself as a direct counterpoint to Antonius, as portrayed in Augustus' propaganda, where the former *triumvir* was vilified for *externi mores* and *vitia non Romana*. The move was one towards a conservatism based on the exemplary precepts of the past and the great forefathers of Rome, not only in Augustus' own relationship with the patricians, but with religious traditions. This is one of the reasons why he exiled Lepidus, rather than killing him while he still retained the post of *pontifex maximus*.

The move to introduce moral legislation was first conceived in 28, as attested in Propertius 2.7. At around the same time, Octavianus had proclaimed by edict an amnesty and annulled any illegal and unjust orders that he might have given during the civil wars. It was another contributory factor to establishing the *pax Romana* and bringing life back to normal. But it was a decade later when the full programme - aimed at curbing licence, protecting the

family and encouraging childbirth - was implemented²⁰³. Thus, it was in 18 BC, the same year in which the roll of the senate was revised, that Augustus introduced his *lex Iulia de adulteriis coercendis*, a law dealing with a range of sexual offences punishable by the state. The law was concerned with *stuprum* in general, of which adultery and *incestum* were types. What had been previously viewed as private offences were made public crimes. For example, pandering (*lenocinium*) also became a criminal offence, with penalties the same as for adultery itself²⁰⁴. The *lex Iulia de maritandis ordinibus* was passed around the same time - though later amended and supplemented, in AD 9, by the *lex Papia Poppaea* - to increase the number of marriages in Rome. The tenor of Augustus' legislation was about formalising relationships in an atmosphere of control where "proper" relationships and "proper" punishments for the transgression of these, such as *relegatio*, were taxonomised.

Adultery was not viewed as a criminal offence before Augustus' legislation. It is true that in ancient times the Romans made adultery punishable by death, but this came more under the aegis of familial *coercitio*. This accounts for the reason why Augustus made exile, in the form of *relegatio*, the legal penalty for adultery. During the Republic, *relegatio* had been a measure of *coercitio*, which had also been used against non-citizens and occasionally citizens, as in the case of Lamia, but as an administrative measure, rather than a penalty prescribed by the law²⁰⁵.

²⁰³The new legislation ensured that senators (including lineal descendants to the third degree) were forbidden to marry freedwomen or daughters of actors. See *Digest* 23.2.44.

²⁰⁴Even Livia was accused by her enemies of pandering to Augustus' infidelities. The attack coincided with the criticism of Augustus in 16 BC when his departure from Rome with Terentia, Maecenas' wife and his mistress, evoked the comment that under his own laws he punished some, spared others, and broke the laws himself (Dio 54.19.2-3). See also Bauman, R.A., *Women and Politics in Ancient Rome* (Routledge: 1992) 125.

²⁰⁵See Strachan-Davidson, J. L., *Problems in the Roman Criminal Law* (London: Putnam, 1900) 116.

Augustus' inclusion of *relegatio* as the official penalty for adultery thus marks the emergence of this punishment in a criminal court, and henceforth all forms of union outside marriage and concubinage were treated by the *lex Iulia* as delicts. The penalties for convicted adulterers were normally severe. The woman lost half her dowry and one-third of her property, the man half his property, and they were both relegated to different islands. But Syme alludes to a more sinister use of this new punitive measure: "Legislation to regulate the commerce of the sexes is not easy to enforce - or easy to assess by results...and the ruler might interpret immoral conduct so as to support or cover charges of treason."²⁰⁶ Indeed, it is much easier to enact moral legislation than to enforce it²⁰⁷. Syme's latter remark puts one in mind of subsequent events, such as the *relegatio* of Seneca on a charge of adultery with Julia Livilla. The sentence of *relegatio* was to develop and was to be used as an expedient way of dealing with subversive forces. What better method could there have been to combine the new, enlightened image of Augustus as a ruler possessing *clementia* and introducing moral legislation, yet still retaining the capacity to deal with any potential opposition?

EXILE OF JULIA

Just as Cicero was to become a victim of exile after he had helped to introduce it as a formal legal penalty, Augustus was to encounter a similar situation as far as his own family was concerned. Although the *princeps* had introduced the penalty of *relegatio* to islands for adulterers and their paramours in 18 BC, the first recorded incidence of the punishment involves his own daughter, Julia²⁰⁸. She was exiled, sixteen years after the legislation had been introduced, on

²⁰⁶Syme, R., *TAA*, 9.

²⁰⁷See also Griffin, J., *op. cit.*, 23.

²⁰⁸See Braginton, M., *op. cit.*, 393.

charges of immoral conduct. On learning of Julia's misbehaviour and involvement with men from all walks of life, Augustus submitted documents and details to the Senate in which the official charge was adultery and excessive immorality. He banished Julia to Pandateria, the modern Ventotone, a small volcanic island north-west from the bay of Naples. At face value, the punishment was proof that the emperor meant to stick by his moral legislation and no one, not even the daughter of the *princeps*, could escape the penalty of the law. But there is a wide consensus of opinion which suggests that Julia's conviction may have served other purposes, too.

Fortunately, Julia's banishment is remarkably well-documented, thanks to a convergence of the ancient sources and an inscription found recently at her second place of exile, Rhegium. Each of the three primary sources attest to her fall. Suetonius devotes chapter 65 of his life of Augustus to describe the misfortune which befell the imperial family, particularly Augustus himself from the years 2 BC until his death in AD 14. He deals with Julia and Augustus' granddaughter Julia together, commenting: *Iulias, filiam et neptem, omnibus probris contaminatas relegavit* (Aug. 65). The structure of the *Annals* was such that Tacitus waits until the year of Julia's death, in AD 14, before mentioning her. His summary provides slightly more information in that he states where Julia was banished: *Eodem anno Iulia supremum diem obiit, ob impudicitiam olim a patre Augusto Pandateria insula, mox oppido Reginorum, qui Siculum fretum accolunt, clausa* (Ann. 1.53). One might have expected a little more on Julia's conviction and banishment, but perhaps such an omission is indicative that the historian did indeed plan to deal with the life of Augustus in much more detail as the final section of his history on the Julio-Claudians. The third source, Dio, furnishes us with the information (Dio 44.10) that Julia's mother Scribonia accompanied her into exile and remained with her until Julia's death at the age of 54. He also mentions Pandateria and comments that, of

those who had committed adultery with Julia, Iullus Antonius "died together with other prominent men - on the ground that his action was part of a plot against the monarchy - while the rest were banished to islands". Other texts do not suggest any deaths besides that of Iullus occurred, but Velleius Paterculus is particularly useful in supplying the names of those who were banished: *Quintusque Crispinus, singularem nequitiam supercilio truci protegens, et Appius Claudius et Sempronius Gracchus ac Scipio aliique minoris nominis utriusque ordinis viri* (Velleius Paterculus 2.100). Velleius concurs with Dio's view that Scribonia accompanied her daughter into exile. Tacitus and Suetonius do not mention Scribonia in association with Julia and just what prompted this act of devotion is difficult to gauge. It may have been undertaken from purely maternal instincts, possibly because such a sentence of exile had not been passed on a solitary woman prior to this case and Scribonia wished to ensure her daughter's welfare. It could be that Scribonia equally did not believe that Julia was as guilty as she had been painted and wanted to demonstrate this by her steadfastness. Whatever the case, the bond between mother and daughter must have been strong to occasion such an action and the strength of that bond might have been forged from the fact that Octavianus had divorced Scribonia in 39, just after the birth of Julia, in order to marry Livia.

Technically, Julia should have suffered the normal punishment mentioned above, *relegatio* with the loss of half her dowry and a third of her property. The apparent offence certainly seems to be a transgression of the *leges Iuliae*, but it has been remarked that the punishment went beyond that and the procedure was probably a trial for high treason, or, as Syme puts it, "dynastic intrigue"²⁰⁹. There seems to be some validity in the assertion that, had there been a conspiracy, the goals of those involved would not have

²⁰⁹See Syme, R., *Tacitus* (Oxford: OUP, 1958) 369.

included the taking of Augustus' life nor the dismantling of the principate, but they would have tended more to affect the succession and the future course of the principate²¹⁰. Dio's comments on Julia's fate, in connection with Augustus returning property to the children of a person who had bequeathed it to him in their will, suggest that there was more involved than simple *relegatio* for adultery. The Greek historian says: "Nevertheless, though he took such an attitude towards the children of others, he did not restore his own daughter from exile, though he did hold her worthy to receive gifts; and he commanded that she should not be buried in his own tomb." This is partly true, since he did not fully recall his daughter from exile, but he did yield to the public, who protested that he should allow her to be transferred from Pandateria to Rhegium in AD 3. It is at this point - Julia's transferral to Rhegium - that the important epigraphic find by Turano in 1949, and Linderski's subsequent comments on it, becomes important to our view of the imperial family in exile²¹¹. Turano's discovery was a short inscription which reads:

C(aius) Iulius Iuliae divi
 Aug(usti) f(iliae) l(ibertus) Gelos [si]bi et
 C(aio) I(ulio) Iul[iae divi] Aug(usti) f(iliae) l(iberto)
 Thiaso patr[i sexuir(o) a]ug(ustali)
 [et Iu]liae divai Au[g(ustae) l(ibertae) ...]
 matr[i]
 ex testamen[to]²¹²

²¹⁰See Raaflaub, K.A. and Toher, M. ed., *op. cit.*, 429.

²¹¹Turano, C., "Note die epigrafia classica II", *Klearchos* 5, fasc. 19 (1963) 76-81.

²¹²The reading of *divai* in line 5 is Turano's, but a photograph of the inscription does not seem to exclude the reading *divae*. See Linderski, J., "Julia in Regium", *Zeitschrift für Papyrologie und Epigraphik* 72 (1988) 181ff.

"Caius Julius Gelos, freedman of Julia, daughter of the deified Augustus, to himself and his father, Caius Julius Thiasus, freedman of Julia, daughter of the deified Augustus, *sevir augustalis*, and his mother, freedwoman of the deified Julia Augusta,... from the testament..."

The discovery of the inscription is a veritable treasure trove to the scholar analysing the condition of exile, particularly as far as the imperial family is concerned. Before interpreting its meaning, however, it would be useful to look at the events surrounding Julia's removal to Rhegium. Firstly, Tiberius was permitted to return to Rome from his "exile" at Rhodes in AD 2. Secondly, popular agitation might well have been the main contributory factor in the return of Julia to the mainland after she had spent five years in exile on Pandateria. On hearing of the death of Gaius Caesar, which occurred in Lycia on February 21, AD 4, Augustus decided to adopt Livia's son, Tiberius, and Julia's son, Agrippa Postumus, as his joint heirs. The adoptions occurred on June 26 of the same year and, since Agrippa Postumus had been elevated in status, Julia might have hoped that her situation would have been ameliorated. On the contrary, the simultaneous adoption only created a lasting enmity between the Julian and Claudian members of the imperial family. It is not certain just how much Livia fostered the concept of attainable supremacy in her son, but circumstances would seem to suggest that her influence played its part in Augustus' deliberations on whether or not to effect the full restoration of Julia from exile. The populace demanded her recall, but the *princeps* could not be moved to do more than transfer her place of exile to Rhegium (*Aug.* 65.3).

Julia was now confined to one town, *uno oppido clausa* (*Tib.* 50), *oppido Reginorum* (*Ann.* 1.53). Doubtless Augustus had yielded to the cries which declared Julia should be freed from her exile on Pandateria with the result that the protests, which had demanded her removal from the island, were

not so vociferous once she was moved to the mainland. Thus, Augustus' action had two effects: in propagandist terms, it demonstrated once again his propensity for *clementia* and it ended the clamorous protests. He achieved the latter by the psychological manoeuvre of bringing his daughter back to mainland *Italia*, which, in appearance, seemed to lessen the automatic penalty of *relegatio* to an island, as decreed in his own legislation. The chapter on exile under Tiberius and the later Julio-Claudians will demonstrate the bleak sense of finality implicit in island exile, especially to a place like Pandateria. Indeed, as far as the extant examples reveal, few were ever fortunate enough to make it back to Rome once sentence had been passed²¹³.

Naturally, Augustus must have thought hard about the spot where he wished to place his daughter for the remainder of her exile. The decision to keep her in Rhegium seems to have been based on two reasons: first, its remoteness from those in Rome who might have been sympathetic to her cause, and, second, a detachment of the fleet of Misenum was stationed at Rhegium and its presence would ensure that Julia was well guarded. Content with these arrangements, the emperor also relented somewhat in his treatment of Julia. Suetonius explains that, while she had been on Pandateria: *Relegatae usum vini omnemque delictiorem cultum ademit neque adiri a quoquam libero servove nisi se consulto permisit* (Aug. 65.3). The ban on wine and her association with men would have been totally in keeping with the nature of Julia's "crime" of adultery²¹⁴. Also, if Suetonius has recorded it, the ban might well have been common knowledge in Rome and if the general view was that Julia had really committed adultery, it would have served to cover up more sinister reasons for her banishment. However, the move to Rhegium coincided with Augustus

²¹³Seneca and the sisters of Caligula are rare exceptions, but Julia Livilla was exiled once more two years after her return.

²¹⁴A woman's consumption of wine and adultery had become synonymous and punishable by death in the early days of the Republic.

granting for Julia's use a property (*peculium*) and a yearly allowance in cash (*praebita annua*)²¹⁵. The mention of *peculium* is the only certain clue we have regarding the legal status of Julia and it indicates that she was a *filiafamilias*, which means she probably had no possessions of her own on Pandateria and explains why Scribonia decided to accompany her daughter into exile. Strictly speaking, as a *filiafamilias*, Julia should not have been permitted to manumit slaves, but the inscription reveals the presence of freedmen²¹⁶.

The inscribed stone was set up by C. Iulius Gelos, on the basis of the testamentary disposition of his father, Thiasus. Both Gelos and his father, who, as a *sevir Augustalis*, reached some prominence in Rhegium, took their *praenomina* after that of the father of the *manumitrix*. More of a surprise is the fact that Gelos' mother, whose *cognomen* presumably stood in the lacuna at the end of line 5, was a freedwoman of Livia, *diva Augusta*. But what was a slave of Livia doing in the household of Julia? Was the mother of Gelos, the *Ignota*, Livia's spy in Julia's household, keeping her mistress informed about the behaviour of the exile? The truth is probably that the *Ignota* had been Julia's slave, but remained in slavery after her husband and son had been freed. Since the *peculium* of Julia was taken by Augustus' heirs, Tiberius and Livia, she may have ended up in Livia's share, and was ultimately manumitted by her new owner.

As a *filiafamilias*, Julia was obliged to ask her father for permission to free Thiasus and Gelos. It is noteworthy to see that Augustus was ready to accommodate his daughter - if only in small matters. In the inscription, Livia appears as *diva Augusta*. This establishes the *terminus post quem* for the

²¹⁵The use of *peculium* would probably have included her house, slaves and the *instrumentum domesticum*. The *praebita annua* would probably have been similar to that granted to the son of L. Tarius Rufus after he was relegated to Massilia for attempted parricide.

²¹⁶See .Linderski, *op. cit.*, 185ff.

setting up of the stone as AD 42 or 41, when Claudius had the senate consecrate Livia as *diva*. This indicates that the parents of Gelos could have died at the earliest in 42 or 41.

Soon, the modest comfort Julia had enjoyed was to come to an end. We learn from Suetonius that Tiberius decided fraudulently to deprive Julia of the *peculium* and the *praebita annua* which her father had granted her. He did this under the pretext of observing public law (*per speciem publici iuris*) as Augustus made no provision concerning this matter in his will (*Tib.* 50). When Augustus died on August 19, AD 14, Julia became a person *sui iuris*, but a woman normally needed a guardian and unless Augustus appointed a tutor for Julia in his last will, the guardianship devolved on the closest *agnatus*. The closest and only male relative of Julia was Tiberius, since Agrippa Postumus had become by that time a non-person, owing to his own exile on Planasia. However, technically, Julia should not have needed a *tutela* because, under the *leges Iuliae de maritandis ordinibus* and *Papia Poppaea*, she was exempt because she had borne more than three children. If Augustus had ordered Julia's exile solely on the basis of his possession of *patria potestas*, she would have been a free woman once he no longer existed. This was obviously not the case and points to the probability that Julia was kept in Rhegium *iure publico*, which, in turn, suggests that Tiberius could have had her recalled. Yet he did nothing.

Tiberius refused to assist Julia on the pretext that Augustus had said nothing of any allowance in his will. However, this does not mean that Julia was not mentioned at all in the will because the *heredes sui* had to be either expressly instituted heir or expressly disinherited, which, in Julia's case, would have meant exclusion through a general clause of disinheritance. Had Augustus not formally disinherited Julia, she would have qualified for her share of the

patrimony and, through the rules of *adcrecere*, she would have ended up receiving more than Livia. However, Augustus made a definite point of not leaving Julia the legacy of her *peculium*. What the father gave to his daughter was her *peculium*; legally, it still belonged to the donor, but was separated from his property. If the father failed to confirm the gift of the *peculium* in his will, the jurists interpreted this as indicating his intention to take it back (*ademptio peculii*). The *princeps* had had sufficient experience of legal issues to be fully aware of his action. He also had a number of legacies to be paid out to his heirs, so his omission of Julia from his will can be no oversight.

Of course, as soon as Tiberius and Livia entered upon the inheritance of Augustus, the *peculium* of Julia ceased to be her property and reverted to the general patrimony of Augustus. At the division of this patrimony, it could have ended up in the share of Tiberius or of Livia, or could have been divided between them. Another possibility was that the heirs were free to leave the *peculium*, technically as their gift, to its current holder. There was no law preventing them from doing so. This is where the emphasis on Tiberius' cruelty is indicated by Suetonius when he wrote that the new emperor defrauded Julia *per speciem publici iuris*. However, Tiberius was able to argue justifiably that Augustus left no mention of the *peculium* in his will and thus did not intend his daughter to benefit from it. There is a disturbing contrast between Tiberius' attitude on his assumption of power and when Augustus first exiled his daughter in 2 BC. At that time, Tiberius, himself languishing on Rhodes, had pleaded with the *princeps* to allow Julia to keep the gifts he had given her (*Tib.* 11.4), yet now he was enthusiastic to deny his ex-wife even the merest of comforts during the rest of her life in exile.

One wonders what Julia's life would have been like in Rhegium and how she might have coped with what ostensibly seems to have been a milder

sentence of exile. Rhegium was a well-populated provincial town and, as mentioned, in such a favourable position that it served as a port for part of the fleet from Misenum. Thus, we can imagine a bustling sea-port with a strong naval community. Given Julia's supposed penchant for attractive young men, it would seem to have been a pleasant place for her to have spent the days of banishment, except for one major consideration. Tiberius refused to allow her to leave the house. Augustus had confined her to one town, but Tiberius, in keeping with his action over the *peculium*, prohibited her from leaving her residence and from associating with people. Such a restriction would have become even more awful for Julia because her mother Scribonia had voluntarily accompanied her on her exile, not only to Pandateria, but to Rhegium as well even though the two women had not lived in the same place since Augustus' divorce²¹⁷. We have Velleius' account: *exilii permansit comes* (2.100.5) and Dio's (55.10.14ff), as well as another inscription, which reads:

L(ucius) Scrib[onius]
 Scribon[iae]
 Caesari[s l(ibertus)]

"Lucius Scribonius...of Scribonia...of Caesar...the freedman."

Once again, the author of the inscription has been identified as a freedman - this time, of Scribonia²¹⁸. So Julia's mother is confirmed as having been in Rhegium during the time of her daughter's exile, yet, if we read *domo...egredi et commercio hominum frui vetuerit* (Tib. 50) as being accurate, it would almost certainly imply that the only people Julia would have encountered during her banishment would have been the guards who kept her

²¹⁷See Dixon, S., *The Roman Mother* (London: Routledge, 1990) 211.

²¹⁸See Turano, C., "Note di epigrafia classica I", *Klarchos* 2, fasc. 7-8 (1960) 71-73.

locked up within the house. Tiberius realised that Julia's freedom could easily destabilise his regime.

The death of Julia occurred within just a few months of those of Sempronius Gracchus and Agrippa Postumus. The latter two will be discussed below, but Julia's demise has been debated at some length. There is no conclusive evidence from the ancient sources to show the exact cause of death. Some have suggested murder, starvation or despair. All we do know is that Tiberius' influence contributed to a large extent to her death. Had Julia been allowed to retain her *praebita annua*, she might have used whatever cash she would have received to bribe a guard to free her, which could have led to her attempting to gain power in Rome²¹⁹, but the truth seems to lie more in the vindictiveness of her ex-husband. Dio says Tiberius' attitude actually led to her perishing from general debility and starvation, though it has been suggested that knowledge of the fate of her only surviving son, Agrippa Postumus, may have hastened her death before the end of 14²²⁰.

An important point to consider here is the injunction, included in the emperor's will, stating that neither Julia nor her daughter should be permitted to be buried in the Mausoleum of Augustus (*Aug.* 101.3; Dio 56.32.4). In Roman law there were two kinds of tomb, *sepulcra familiaria* and *sepulcra hereditaria*²²¹. The latter would have allowed burial within it for all those who had acceded to the inheritance. More importantly in this case, such a right was not denied even to the *exheredati*, unless the testator specifically excluded them from the tomb. The right of burial even extended to the children of the disinherited. This explains why Augustus specifically mentioned Julia the

²¹⁹See Seager, R., *Tiberius* (London: Eyre Methuen, 1972) 50.

²²⁰See Seager, R., *ibid.*, 50

²²¹See Linderski, J., *op. cit.*, 191ff.

Younger as well in his injunction against burial in the Mausoleum. Yet Tacitus' language in relation to the tomb - *tumulus Augusti* (*Ann.* 3.4.1), *tumulus Caesarum* (*Ann.* 3.9.2) and *tumulus Iuliorum* (*Ann.* 16.6.2) - point to a *sepulcrum familiare*. A tomb was not necessarily either a family or a hereditary tomb. Its legal position depended on the will of the founder. The founder could reserve the tomb exclusively for himself or he could reserve it for certain specifically designated persons. We can see this in Augustus' use of the Mausoleum, since it was open to all descendants of the *princeps* and to all deemed worthy of burial there, including Marcellus and M. Vipsanius Agrippa. Thus the tomb of Augustus and of the Iulii was at once transformed into the monument of that new entity, the *domus Augusta*. The mausoleum was not only a sacred place of burial for the honoured dead, it also extended the effect of Augustus' propaganda. He never let the Roman people forget that the last wish of Antonius was to be buried in Alexandria. It was a consideration tantamount to treason, since the treasured wish of all Romans should have been to be interred within their native soil. The immense structure was intended to remind everyone that, as opposed to Antonius, Augustus and his family were to be buried in Rome, between the Tiber and the Via Flaminia²²². This explains why both Julias had to be officially denied entry, individually and by name.

Julia's case, which involves a change in the place of banishment from the island of Pandateria to Rhegium, as well as the discovery of the epigraphical evidence, provides one of the most thorough and authentic accounts of the conditions of exile during Augustus' reign. The facts that we glean from the evidence are more technically accurate than Ovid's wealth of books from Tomis, a consideration which will be discussed in the following chapter. They also give us an insight into the workings of the minds of

²²²See Millar F. and Segal, E., ed., *op. cit.*, 6.

Augustus and Tiberius. The latter's behaviour in this case is particularly ambiguous in that he is portrayed as acting efficiently in protecting the empire, but vindictively in the treatment of the woman who had been his wife. As much as anything, it could be indicative of the tension that existed in the emperor's mind - between public *persona* and his private feelings.

EXILE OF SEMPRONIUS GRACCHUS AND JULIA'S LOVERS

The picture broadens, however, when we see how the vindictiveness of Tiberius also manifested itself in his treatment of one of Julia's lovers, the high-born Sempronius Gracchus. He is said to have seduced the emperor's daughter while she was still the wife of Marcus Agrippa and continued his affair with her while she married to Tiberius. As a consequence of the affair, and in particular Gracchus' influence over Julia which led to her writing a letter which included a tirade against Tiberius, the *pervicax adulter*, as he is styled by Tacitus (*Ann.* 1.53), had been exiled to Cercina. Tacitus describes Cercina as an island in the African sea, but the place actually constituted two small islands called Kerkena in the Gulf of the Gabes. Interestingly, Gracchus left his wife in Rome but took his infant son with him to his place of exile (*Ann.* 4.13.4). There is no reason given in the primary sources for this action, which is unprecedented in cases of exile, but the fact that Iullus Antonius' son Lucius was exiled to Massilia may account for it. Tacitus says Gracchus endured his banishment for fourteen years (*quattuordecim annis exilium toleravit*) before a troop of soldiers was sent to the island to dispatch him. Gracchus asked for a few minutes' grace so he could send some final instructions to his wife Alliaria, which is possibly an ironic touch by Tacitus bearing in mind the crime for which he was exiled, and then offered his neck to the executioners' weapons. Characteristically, Tacitus adds a bitter twist to the tale by stating: *quidam non Roma eos milites, sed ab L. Asprenate, pro consule Africae, missos tradidere, auctore Tiberio, qui famam*

caedis posse in Asprenatem verti frustra speraverat (Ann. 1.53). As seen above, Gracchus' death occurs within the four and a half month timespan which also incorporates the deaths of Agrippa Postumus and Julia. Tiberius tried to place the blame on Asprenas and did not count on an historian shedding light on the matter a century later. As we shall see later, Tiberius is depicted as having no problems when it came to harbouring a grudge, which could be dealt with at a suitable date - even if it entailed waiting fourteen years to do so.

It has been pointed out that Gracchus bore most of the official blame, but Julia's other named paramours were also *nobiles* who represented a formidable faction. Those who were banished to unnamed places of exile included the patrician Quinctius Sulpicianus (*cos.* 9), who possessed "unique depravity disguised by forbidding eyebrows" (Velleius Paterculus 2.100.5), a Scipio, regarded as the son of P. Scipio (*cos.* 16), who shared with Julia as mother Scribonia, an Appius Claudius, a son or nephew to the consul of 38. But the main protagonist, or "prime delinquent" as Syme puts it, was the consular Iullus Antonius, the younger son of the *triumvir* who was married to Augustus' niece and thus had a strong link within the imperial family. He was accordingly viewed as politically dangerous and it is conspicuous that he is the only one of the named lovers to die in mysterious circumstances. Iullus' familial links and his affair with Julia at a time when Tiberius was no longer her consort certainly point to the possibility of a conspiracy, with Iullus perhaps hoping to assume the role that Tiberius eventually took over as *princeps-elect*. Yet the sources we should trust most, Tacitus and Suetonius, do not even mention a conspiracy, while in relation to Iullus' death, Syme points out: "Like the early Christian, it was not the *flagitia* but the *nomen* that doomed him."²²³

²²³See Raaflaub, K.A., and Toher, M. ed., *op. cit.*, 428 n. 45, for debate on conspiracy; and Syme, R., *TRR*, 427. Seager points out that Iullus Antonius might have aspired to fill the place left vacant by Tiberius beside Augustus as well as beside Augustus' daughter, but remains non-committal.

As mentioned above, one consequence of Iullus' involvement was that his son, Lucius Antonius, was "sent away" by Augustus "to study in Massilia". Tacitus puts it in a more sinister light: *seposuit Augustus in civitatem Massiliensem, ubi specie studiorum nomen exilii tegetetur* (Ann. 4.44). When one remembers that Massilia was at one time during the Republic the most popular place for voluntary exiles, Tacitus' point of view seems justified. What fully substantiates the theory that Lucius was exiled is the telling fact that he never returned to Rome, but died at Massilia in AD 25. Yet we encounter another anomaly here, in that although Lucius lived out the rest of his life, after his father's death, in exile in Massilia, the Senate still decreed that his remains should be admitted to the Mausoleum of Augustus. This gesture is remarkable, particularly when one remembers that a similar one was not offered to the *princeps'* own daughter or granddaughter.

Perhaps the reason behind the admission of Lucius' remains to the mausoleum lay simply in the fact that Tiberius, who was in power when Lucius died, allowed such a ceremony to take place because, technically, Lucius had never been banished and was thus entitled to a proper burial in Rome²²⁴. Such a concession might have also served to cover up the fact that Augustus had acted in the way he did, as far as posterity was concerned, had it not been for Tacitus' sources. Lucius' case is indicative of the way in which potential troublemakers could be neutralised by means of exile, provided there was no one to report the fact.

²²⁴Even Syme is wide of the mark when he says Lucius was "not only debarred from public life but relegated" (TAA, 124), since the sources do not record such an official decree being issued. Syme follows Tacitus' interpretation of Augustus' action, which is, in essence, accurate but, in the eyes of Roman legislative practice, incorrect. Had Lucius been officially relegated, the senate should have issued an official notice of recall for the body to be interred in Rome.

EXILE OF AGRIPPA POSTUMUS

Another member of the imperial family who fell at the time of Tiberius' accession was Agrippa Postumus, who died in AD 14 after a miserable existence on Planasia, his island of exile. Tacitus significantly places the murder at the very start of his account of the life of Tiberius: *primum facinus novi principatus fuit Postumi Agrippae caedes* (*Ann.* 1.6). The historian signposts the ensuing, pejorative depiction of Tiberius through his phrasing in this sentence, by describing the "first crime", rather than the "first act", of the new regime. Although described as brute-like in his nature, *rudem sane bonarum artium et robore corporis stolide ferocem* (*Ann.* 1.3), Agrippa's real "misdemeanour" had been to stand in the way of the principate as far as Tiberius was concerned. The alleged intrigues of Livia are quite apparent in Tacitus' account in which Agrippa Postumus is absolved of involvement in any plot or scandal: *nam senem Augustum devinxerat adeo, uti nepotem unicum, Agrippam Postumum, in insulam Planasiam proiecerit...nullius tamen flagitii conpertum* (*Ann.* 1.3). In AD 7, Augustus secured Agrippa's removal from confinement at Surrentum, where he had been since AD 5, to exile under guard on the island of Planasia, which lay close to Corsica²²⁵.

Suetonius' account typically adds a more savage edge, but the two stories do tally and the supposed length of Agrippa's exile is revealed: *Agrippam nihilo tractabiliorem, immo in dies amentiozem, in insulam transportavit saepsitque insuper custodi militum. Cavit otiam s.c. ut eodem loci in perpetuum contineretur* (*Aug.* 65). Agrippa's fall from grace was two-fold, in that he suffered *abdicatio* (the severing of ties with the Julian family, which led to his exclusion from Augustus' will and reduction in status to that of

²²⁵See Syme, R., *Tacitus*, 306, for Livia's involvement.

an emancipated child of Marcus Agrippa) and then *relegatio* to Surrentum. The case for this sequence of events has been convincingly argued, beginning with Agrippa's "misbehaviour" late in 5, leading to his abdication the following year and then the *relegatio in perpetuum* in the autumn of 7²²⁶. The exile itself was a severe case of *deportatio* in all but name, particularly since he had also lost a considerable fortune inherited from Marcus Agrippa.

What were the events leading to Agrippa's downfall? A credible theory regarding his exile is that his fall from favour with Augustus occurred because of an unsuccessful attempt to speed his advance to the principate, a move that also brought down his sister, the Younger Julia, her husband Paullus and their supporters²²⁷. Events point to some sort of collusion in the scandal of Publius Rufus, who, in 6, was fomenting revolution. The people were acutely distressed by a range of catastrophes, which included famine, fires, complaints about the war being fought at the time, and taxes. The theory of involvement in a quashed conspiracy is substantiated by the evidence on the Ticinum arch erected at Pavia in mid 7-mid 8 in honour of the dead Gaius and Lucius Caesar, where the disgraced Agrippa and his sister are both missing from the family line-up.

It is curious why Agrippa Postumus was sent to Surrentum in the first place. One possible reason might have been that Augustus had learned from his mistake of exiling Julia to Pandateria, which provoked a public outcry and led to the emperor bringing her on to the mainland at Rhegium. Thus Agrippa Postumus begins his exile on the mainland, but is then moved to island exile. But what could have been the reason for moving him from Surrentum to Planasia? There are two possible theories: the first is that an attempt was made

²²⁶See Levick, B., *op. cit.*, 56ff.

²²⁷See Levick, B., *ibid.*

in 7 to secure him a consulship for the following year, the second is that he tried to subvert the fleet at Misenum. Although the situation would have been highly anomalous, the consulship was a real possibility since his *relegatio* to Surrentum by consular power would not debar Agrippa Postumus from election and the *princeps* would have been keenly alive to the situation, particularly since the people had elected C. Caesar to a consulship in 6 BC despite the protests of Augustus himself. In the end, a resolution of the senate, in late 7, ordained that Agrippa should be removed from Surrentum and kept under guard perpetually on Planasia. The elections themselves were so disrupted that Augustus had to appoint all the magistrates himself (Dio 55.34.3).

The presence of an armed guard on Planasia suggests two possibilities: first that Augustus feared an attempt to liberate Agrippa from his exile and secondly that there had been unauthorized excursions from Surrentum. Dio (55.32.1ff) says Agrippa "spent most of his time fishing, by virtue of which he used to call himself Neptune". The fishing trips were probably conducted at Surrentum and the ironical appellation Neptune can be seen to be connected with Agrippa's rejection from the *gens Iulia* and his assumption once again of the name Vipsanius. Marcus Agrippa had been under the patronage of Neptune, as had Sex. Pompeius, the admiral he defeated. Levick indicates the irony by stating that "now the son of Neptune's favourite was lord of a single fishing boat". Naturally, there is the possibility that Agrippa fished solely from the shore, but even that consideration did not negate the fact that Surrentum was just a short distance across the Bay of Naples to Misenum where Agrippa might well have found a sympathetic audience ready to follow him as they had his father. This factor and the move to promote Agrippa to the consulship may have been sufficient for him to be more harshly exiled. There is also the important consideration that, had Agrippa managed to persuade the main fleet

to come over to his side, he could easily have linked up with similar allies docked in Rhegium, where Julia was held in exile. By exiling him under armed guard to Planasia, the double threat to Augustus was lessened, but it was not completely eradicated. Suetonius tells us: *Audasius atque Epicadus Iuliam filiam et Agrippam nepotem exinsulis, quibus continebantur, rapere ad exercitus* (Aug. 19.2). But however strong this plot was, it came to nothing.

Unlike the comparative wealth of information on Julia, the sources reveal virtually nothing of Agrippa's life in exile on Planasia. With his inheritance taken away, his existence would probably have been similar in its meagre quality to that of his mother. He was definitely kept under guard, but it is not certain whether his death was undertaken by the guards on the island or by a special force sent from Rome. Suetonius is of the former opinion: *Excessum Augusti non prius palam fecit, quam Agrippa iuvene interempto. Hunc tribunus militum custos appositus occidit lectis codicillis, quibus ut id faceret iuebatur* (Tib. 22.1). But Tacitus' account leaves matters uncertain since he does not state whether the centurion who dispatched the exile was stationed on the island or sent from Rome: *quem ignarum inermumque quamvis firmatus animo centurio aegre confecit* (Ann. 1.6). A clue may lie, however, in the fact that the centurion brought his military report of the killing to Rome: *nuntianti centurioni, ut mos militiae, factum esse quod imperasset, neque imperasse sese et rationem facti reddendam apud senatum respondit* (ibid). Events may have turned out entirely differently had Agrippa's slave Clemens reached Planasia in time to rescue his master by an audacious plan, but by the time he arrived on the island Agrippa was already dead. It is noteworthy, however, that Clemens took the trouble to remove his master's ashes, possibly with a view to securing him a proper burial on Roman soil.

most circumstantially a rumour that the then-aged emperor had visited Agrippa Postumus on Planasia. He is said to have made the trip to Agrippa's place of exile with Paullus Fabius Maximus as his sole attendant. The meeting was supposed to have been such a success that genuine hopes had been raised as to the reinstatement within the imperial family of the young man. It was not to be. Fabius is said to have informed his wife Marcia of the trip and she, in turn, told Livia. The disclosure by Fabius was sufficient for Augustus to break off their friendship, a situation the emperor made apparent when Fabius attended a *salutatio*. Syme dismisses the rumour and the account certainly appears to follow the Tacitean manner of besmirching his targets through the device of innuendo²²⁸. As Mellor states: "It is good literature but it can be irresponsible history."²²⁹

EXILE OF THE YOUNGER JULIA

The fall from grace of the Younger Julia ostensibly had all too similar circumstances to that of her mother. She was convicted of immorality, *adulterii convictam* (*Ann.* 4.71.4) and exiled in AD 8 to the barren island of Trimerus, a short distance from the Apulian coast. The charge of adultery is, once again, a subterfuge for the real crime of conspiracy. In her illuminating account on the fall of Julia the Younger, Levick indicates a plausible connection between the faction that fell with the Younger Julia and the one which preceded it in her mother's case²³⁰. These last named had been supporters of Gaius in 6 BC and their intention had been to replace Tiberius with Iullus Antonius as the *princeps'* immediate heir and as step-father to Gaius and Lucius. Even when

²²⁸Syme, R., *History in Ovid* (Oxford: OUP, 1978) 74. Shatzman, I., "Tacitean Rumours", *Latomus* 33 (1974) 561, makes the point that doubts and suspicions caused by Tacitus' rumours do arise and once they have penetrated into the reader's mind, even simple innocent details seem to take on sinister significance.

²²⁹Mellor, R., *op. cit.*, 44.

²³⁰Levick, B., "The Fall of Julia the Younger," *Latomus* 35 (1976) 307f.

the Elder Julia's faction failed, Tiberius had not been rehabilitated into Roman life, but was obliged to remain in virtual exile for nearly eight years. It was only with the permission of Gaius that Tiberius returned to Rome in AD 2. The deaths of Lucius and Gaius brought Tiberius back into reckoning as far as the succession was concerned and it is after the deaths of the Elder Julia's sons, in AD 4, that the struggle for power begins. Once again, the apparent objective is to remove Tiberius and advance those most suitable candidates with Scribonian blood in his stead. There is also the consideration that the Younger Julia and her husband were connected by ties of kinship with leading members of the group that had fallen in 2 BC. When one remembers the names of those who fell at around the same time, it becomes apparent that all these highly placed people were punished for some form of political offence.

The primary sources reveal relatively little about the fate of the Younger Julia. Dio mentions nothing on the subject, Tacitus merely mentions Julia's death and the length of time she spent in exile, Velleius Paterculus' account is also lacking in information and the details offered by Suetonius are not easily placed within a chronological or political context. Pliny the Elder does provide some useful information, however, when he states *aliud in nepte adulterium* (*Nat. Hist.* 7.149). Tacitus' use of the word *adulter* has a wide meaning, but the use here of *adulterium* is precise and helpfully indicates that Julia's husband was still alive in AD 8.

The only named lover in the Younger Julia's case was Decimus Iunius Silanus, but, as with her mother, there may have been others - or at least other co-conspirators. Tacitus' account of the justice meted out to Silanus is noteworthy in comparison to others who had been found guilty of adultery and immediately banished. In Silanus' case, Tacitus states: *D. Silanus in nepti Augusti adulter, quamquam non ultra foret saevitum quam ut amicitia*

immediately banished. In Silanus' case, Tacitus states: *D. Silanus in nepti Augusti adulter, quamquam non ultra foret saevitum quam ut amicitia Caesaris prohiberetur, exilium sibi demonstrari intellexit* (Ann. 3.24). It was not until the accession of Tiberius that Silanus tried to appeal for a recall to the Senate and emperor through his influential brother, Marcus Silanus (*cos. suff.* 15), the future father-in-law of Caligula. It is significant that Silanus did return to Rome, but Tiberius made the recall incomplete by saying he was glad Decimus had come back but that he would follow his father's (i.e. Augustus') objections towards him. What this meant, in effect, was that Silanus would not be able to attain office and so his public career was ended. When such a declaration of private enmity by the *princeps* could without question end a man's career in this fashion, it was clearly vain for Tiberius to keep up the pretence that the *princeps* was just another senator like all the rest²³¹.

The recall of Silanus had no bearing on the case of the Younger Julia, however, and she remained in exile for twenty years on Trimerus until her death in AD 28. The sources provide no information regarding her property rights, but we are told that she received sustenance from Livia. Just what that assistance might have been remains uncertain, but it may have been similar to the aid afforded to her mother at Rhegium in terms of the use of slaves and other attendants. There is no reason given as to why Livia should have been, or appear to have been, concerned about Julia's well-being. Her manner of dealing with people, particularly those antagonistic to her son's power, would probably mean that genuine concern should be negated. If news of her assistance was circulated, it may have served a propagandist purpose. But no concern was shown once the Younger Julia had died and, according to the Scholiast on Juvenal (6.158), she was buried in exile. We cannot be sure of this comment,

²³¹See Seager, *op. cit.*, 131.

Associated with the Younger Julia's fall is the fate of her husband Lucius Aemilius Paullus. Historians have generally accepted that he died in AD 1 for conspiracy (*Aug.* 19.1), but Syme's exposition on Paullus is extremely pertinent to this study²³². Syme holds that Paullus was not executed, but exiled to some city or penal island. The hypothesis rests on the protocol of the Arval Brethren.

On May 12 in the last year of Augustus' reign the Arvals selected Drusus Caesar in *locum L. [Aemili] Paulli*. If this Paullus was not the husband of Julia, he would have had to have been their son. But we have already seen in the case of Lucius Antonius how the *princeps* dealt with offspring of potential foes and certainly in this case where the question is to allow a son of a convicted enemy to take on a high sacerdotal office, the chances of him assuming the office in what would have been the year after his parents were punished for serious crimes would have been highly unlikely. Thus, we are led to the view that Paullus himself was the *arvalis*. An exclusive privilege was designated to augurs in that crime or exile could not impair their office, only death could take it away. The same distinction appears to have been conveyed by Augustus on his Arval Brethren. The precedent had been set when Lepidus was allowed to live in exile at Circeii while retaining the position of *pontifex maximus* until his death. We also have the evidence of Pliny, mentioned earlier, which states that Julia had committed *adulterium*, an offence which would have necessitated the existence of a husband during the year AD 8. Barnes holds the view that Paullus was exiled, giving the date of AD 6, which indicates the disjunctive nature of the punishment of husband and wife²³³. Unfortunately, the dearth of substantial information on Paullus means that no clear assessment

²³²Syme, R., *TAA*, 117ff.

²³³Barnes, T.D., "Julia's Child", *Phoenix* 35 (1981) 362f.

can be made of his exile in terms of location or length of time, though the accepted view is that he survived until late 13 or early 14²³⁴.

The exile of the poet Ovid, which will be analysed in detail in the next chapter, coincides with that of the Younger Julia and it has been suggested quite credibly that he was used as a scapegoat whose very political harmlessness would divert attention from the real offences of Julia, her husband and her ostensible paramours, and create the impression that injured morality was being avenged²³⁵.

RESTRICTIONS ON EXILES

Two years prior to his death, Augustus increased the severity of the sentence of *exilium* when he forbade exiles to reside on the mainland or on any island within fifty miles of the coast, except in the cases of the islands of Cos, Rhodes, Lesbos and Sardinia (Dio 56.27.2)²³⁶. However, there must be some doubt about just how stringently these restrictions could have been enforced, particularly if the exiled person was not kept under armed guard. Relegated persons were generally allowed to retain their civic rights and some or all of their property (*Digest* 48.19.8), but those who had suffered the *aquae et ignis interdictio* were limited to a maximum of twenty slaves or freedmen, and three boats, one a merchant ship of 30 tons and two provided with oars (Dio 56.27.3). The *princeps* also ruled that exiles were not to retain more than 125,000 *denarii*, though it is worth considering that this sum, 500,000 *sesterces*, was 100,000 more than the qualification for the equestrian order. If

²³⁴See Barnes, T.D., *ibid.*

²³⁵See Syme, R., *TRR*, 468.

²³⁶Starr, C.G., *Civilization and the Caesars* (New York: W.W. Norton and Co. Inc., 1965) 78, confuses the measures brought in by Augustus in AD 12 with the introduction of *deportatio* as a harsher punishment under Tiberius in AD 23.

these new measures were intended to make the sentence of exile harsher, there is certainly some truth in the assertion that the circumstances of banishment must have previously offered to convicted senators a quiet, comfortable existence in a pleasant spot, with all the pressures, obligations, and fears faced by the working member conveniently removed. It remains uncertain how many exiles were afforded the chance to return to Rome at this time, although the possibility gradually took hold and such a move was regarded as a *beneficium* and the *clementia* thus offered was encouraged as an imperial virtue²³⁷.

CONCLUSION

The character of Augustus has always had an elusive quality, in spite of the large amount of material available on him. He was a leader who could easily act with *clementia*, showing a humanitarian attitude, yet maintain a cunning and ruthless streak. Tacitus reveals just how untrustworthy his claims are in the *Res Gestae* by drawing on them and controverting them directly or through implication and while he may accept the principate, he rejects its ideology²³⁸. It follows that his actions connected with the implementation of exile would have had a similarly ambivalent nature. If one follows this line of argument, it is easy to understand why Lepidus was allowed to remain *pontifex maximus* without threat from Augustus, yet Murena and Caepio suffered much more than they could have imagined when their option of going into exile for treasonable offences was prevented, and execution was the result. These examples show how Augustus was willing to follow sacerdotal tradition as far as the Iulii were concerned, yet in the second instant he goes directly against the more humane provisions of his adoptive father's legislation. The simple answer lies in political expedience: the greater the threat, the more severe and swifter the response.

²³⁷Saller, R.P., *Personal Patronage Under the Early Empire* (Cambridge: CUP, 1982) 57.

²³⁸See Goodyear, G.D.R., *op. cit.*, 37.

The need to stabilize Roman society after the atrocities of the civil wars was a major consideration in Augustus' actions and contributed to his programme of moral reform with its legislative changes which were to have a profound bearing on the *poena capitis*, and consequently on the sentence of exile. It is true that Augustus did not wish to do away with all elements of the Republic, but he would only preserve as much of it as was practically possible in keeping with his schemes for empire. This is where the dichotomy exists between a sense of personal freedom and the power of the principate. Of great importance is the unwritten abolition of the opportunity for an accused man to go into voluntary exile rather than face death. The previously accepted "gentlemen's agreement", which saved lives yet inevitably led to banishment, disappears and the barely disguised will of the dictator holds sway - this is seen no more clearly than in the case of Murena and Caepio. The introduction of *relegatio* through the *lex Iulia de adulteriis coercendis* also sees the imposition of a harsher penalty for those who indulged in what had been almost a national pastime for many Romans. Yet the introduction of a criminal sentence for adultery contained another element in that it could be used as a mask to obscure other offences, trumped-up or otherwise. Such covert and sinister action was to grow at a fast rate during the rest of the dynasty. There is also a replacement of the old style of exile, where a man would be allowed to depart voluntarily to a mainland area such as Massilia, with the introduction of specific islands for the convicted. This in itself paves the way for Tiberius' harsher legislation of AD 23 when *deportatio* is first introduced as a punishment.

The principal exiles during the time of Augustus are rivals to the emperor's power. Unlike later Julian-Claudian exiles, those banished are, in the main, very close to the reins of power with the potential to seize them at any moment. One of the most significant points about the exiles that Augustus

main, very close to the reins of power with the potential to seize them at any moment. One of the most significant points about the exiles that Augustus banished is their relationship to the *princeps* himself - former allies and family members. That fact in itself shows the determination with which Augustus intended to hold sway. It was for this reason that Augustus ensured that these eminent exiles would be kept where he knew they would not be able to disrupt the new *pax Romana*. It is only when one observes exactly where the places of exile were that one realises fully the manoeuvring behind the punishments: Lepidus conveniently kept within calling distance of Rome under constant surveillance; Julia exiled initially to Pandateria, an island hardly mentioned in the ancient sources prior to her punishment - yet to become a dreaded name when mentioned to succeeding generations of the imperial family - then Rhegium, heavily guarded by troops and the navy; Agrippa Postumus, relegated initially not far from where Lepidus had been, but on second thoughts rather too close to his father's old fleet, so *confined under armed guard to an island*; and Julia the Younger, awkwardly placed far on the other side of the Italian peninsula, just in case conspirators think of linking up the exiled members of the imperial family. Apart from the latter case, the main political exiles are placed on the west coast of Italy at short sailing distances from Rome. Proximity would have ensured that, had an escape bid been attempted, it would easily have been put down by dispatching the navy. One of the great ironies of Augustus' reign was that he tried to revive the idea of family bonds through his legislation, yet his very actions against the members of his own family affected the way Rome would be run after his death. He exiled his daughter, his granddaughter, his grandson. He allowed to remain in exile for eight years his stepson and heir - hardly the actions of someone keen to maintain family values, or at least the sense of family unity. But Augustus' actions were to be emulated by his successors and the rivalry between the Claudians and Julians was to lead to many deaths and many banishments. For

other exiles, whose political significance was far less, the locations were correspondingly more distant and less important and they did not require a guard to be kept over them. Patronal intercession with the emperor was their only hope of effecting a recall - there would be no rescue bids to bring them back to Rome. Their sentences were typical of the punishment that was to be meted out to so many later during the dynasty. No one exemplified this more than the brilliant poet Publius Ovidius Naso.

OID IN EXILE

*"The real exile, with a hunger in his heart,
may write more beautifully than ever he did
at home, seeing the life he has lost as an
old man sometimes sees his youth, something
far away and glamorous, yet wonderfully clear."*

J.B. Priestley, "A Voluntary Exile"²³⁹.

Ovid provides us with the most full account of life in exile during the Republic or early Principate. The quality of his work easily surpasses the frantic, distracted prose letters of Cicero and the two consolatory works of Seneca. Frustratingly, however, Ovid's own account of his time in exile remains our sole primary source. Later evidence is supplied by Pliny (*Nat. Hist.* 32.152), Statius (*Silvae* 1.2.254-5) and Jerome (*Chron. Ab Abraham* 2033), but the significant observation has to be made that there is no reference, direct or indirect, to Ovid in the three main historians for the Julio-Claudian Dynasty, Tacitus, Suetonius and Cassius Dio. Although this omission is surprising, the lack of additional evidence in the primary sources has not proven to be a particular hindrance to scholars, who, over the centuries, have generally accepted at face value Ovid's account of his *relegatio*²⁴⁰. Scholarship conducted during the last decade, however, has made significant progress by taking a much firmer, more objective stance and, perhaps symptomatic of a more cynical age, has not blithely accepted the apparently straightforward and monotonous account of the poet's exile. Indeed, the critical climate has altered

²³⁹Priestley, J.B., *Open House* (London: Heinemann, 1936), 35.

²⁴⁰Mommsen, T., tr. by Dickson, W.P., *The Provinces of the Roman Empire Vol I* (London: MacMillan, 1909) 308, states: "We have a description of Tomis from the last years of Augustus, doubtless by one banished thither for punishment, but certainly true in substance."

the most recently argued theories about Ovid's *relegatio* is that the poet may not have been banished at all but that he simply selected the *topos* of writing from exile in order to provide himself with material for a new poetic genre²⁴¹. Even if such a debate is essentially specious, scholars who held the traditionally accepted view that Ovid was definitely exiled now ought to differentiate more acutely between the textual testimony of the exilic poems and the paucity of genuine historical and geographical evidence.

The mystery of Ovid's exile is no longer concentrated simply in the dispute over the poet's *error*, but broadens into a question of how much he is trying to convey the experience of banishment as "historical person or literary *persona*"²⁴². The thought that Ovid may not have been exiled at all would have once seemed to be an almost heretical hypothesis²⁴³, but the absence of indisputable historical and geographical evidence and the presence of much *dissimulatio* within the poetry itself, which tends to disrupt a unilateral reading, means that such a possibility has to be addressed. Ironically, by demonstrating the fallacy of taking at face value the seemingly straightforward version of Ovid's exile, recent research has diminished the number of definitive answers to the many questions thrown up by the poet's banishment. Perhaps even more importantly, the demand now placed on scholars is to investigate just how convincingly Ovid articulates the condition of exile. The almost bland acceptance of the superficial scheme of events portrayed by the poet himself in Tomis that survived for centuries, even beyond the post-war period of classical scholarship²⁴⁴, has been severely jolted by a modern approach that has revealed

²⁴¹Little, D., "Ovid's last poems: cry of pain from exile or literary frolic in Rome?" *Prudentia* 22 (1990) 23-39, refutes the notion that Ovid was never exiled but merely spent the last decade of his life exercising a monomaniac fascination with exilic tropes.

²⁴²Claassen, J-M., "Ovid's Poetic Pontus", *Papers of the Leeds International Latin Seminar* 6 (1990) 65.

²⁴³Green, P., among others, will simply not countenance the possibility, see *Ovid: The Poems Of Exile*, (London: Penguin, 1994) intr. xvii.

²⁴⁴A notable exception is Scevola Mariotti, who recognised the conventional literary and rhetorical

the wide-ranging, latent quality of Ovid's work. The old view that the poems of exile were not worthy of consideration as literature, but more as a source of historical, biographical and ethnographical information, has been inverted and the questions thrown up by recent scrutiny of the exilic canon provide an exciting forum for debate²⁴⁵.

Ovid's poems can now be regarded as being based on the authenticity of exilic experience, whether it be derived from traditional writings, literary imagination or reality itself, combined with a subtly disguised poetic virtuosity that undermines the poet's statements of failing artistic technique caused by his banishment to Tomis. It is true that a sense of uncertainty over the "reality" of Ovid's physical and social environment in a desolate extremity of the Roman empire was very possibly as disconcerting for his contemporary Roman reader as it is for his modern audience²⁴⁶, but the poetry was sufficiently credible for the audience in Rome to accept it as a genuine account - as indeed have classicists over the ensuing 2,000 years. But that same uncertainty has a considerable bearing on this particular field of study. It is important to assess the effects of exile on Ovid, as the poet himself describes them, but, bearing in mind recent scholastic reappraisal as far as firm evidence is concerned, particular attention should be paid to the emphasis Ovid places on the psychological effects of banishment, whether real or imagined. Naturally, such an analysis is relative to the broader overview of exile during the Julio-Claudian Dynasty and, where appropriate, the reader will be redirected to literary scholars whose works on the quality of the poetry *per se* are more copious²⁴⁷.

elements and the degree to which Ovid's self-representation was as much a *persona* in the *Amores* in "La carriera poetica di Ovidio", *Belfagor* 12 (1957) 631-635.

²⁴⁵See Nagle, B.R., *The Poetics of Exile: Program and Polemic in the Tristia and Epistulae Ex Ponto of Ovid* (Brussels: Collection Latomus 170, 1980) intr. 5ff.

²⁴⁶See Williams, G.D., *Banished Voices: Readings in Ovid's Exile Poetry* (Cambridge: CUP, 1994) 2

²⁴⁷For example, see Evans, H.B., *Publica Carmina: Ovid's Books From Exile* (Nebraska: University of Nebraska Press, 1983).

CARMEN ET ERROR

As far as the factual evidence is concerned, the period leading up to the banishment of Ovid proved a particularly fraught time for the Augustan principate. The emperor had attempted to usher in moral legislation by which elite Romans should live, but its introduction had been as much to do with the emperor's own projection of himself as the figure in control of Rome's *mores* as a genuine attempt to curb licentiousness. Its signal failure was manifested in the punishment of Augustus' own daughter, Julia. Her exile, along with her lovers - with the exception of Iullus Antonius who either committed suicide or was murdered - should have acted as a salutary lesson. The *lex Iulia de adulteriis coercendis* had been part of Roman legislation for 16 years when the emperor's daughter was punished, though there is little evidence to indicate how it might have been enforced or how often the law was invoked to punish offenders with exile. The crucial period between the exiles of Julia and Ovid includes the conspiracy of L. Aemilius Paullus, although it is uncertain whether this occurred in AD 1 or AD 6²⁴⁸. In addition, there is the exile of Agrippa Postumus in AD 7 and then those of the Younger Julia and her paramour D. Iunius Silanus in AD 8.

It was also during this period that the *Ars Amatoria* was published. Its reception was such that when Ovid published the *Remedia Amoris* three years later, he felt obliged to leave some advice on falling out of love to the readers' imagination because his work had been recently criticised for being shameless (*Remedia Amoris* 357-62). The second edition of the *Amores* also belongs to

²⁴⁸Bauman, R.A., *Women and Politics in Ancient Rome* (London: Routledge, 1992) 247, argues against Syme's view that Paullus, as a member of the Arval Brethren, was exiled, as opposed to executed, because a criminal conviction brought against a priest normally meant expulsion from the order.

this period, as does unrest with regard to Augustus' marriage legislation. The pressure had begun after the five years' proscription for adultery was introduced in 2 BC (Dio. 55.10.16) and it continued until a demonstration against the marriage ordinance by the *equites* in AD 9 (Aug. 34.2). Anonymous epigrams defaming eminent people were also circulated and the principate decided to make such actions treasonable²⁴⁹. Thus, anyone who deliberately or inadvertently made connections with the wrong factions or promulgated views that might have been interpreted as going against the principate was playing with fire.

It was amid such social unrest that the catastrophe in Ovid's life occurred, towards the end of AD 8 when the poet was 51 (*Tristia* 4.8.33; *Ex Ponto*. 2.3). He was on the island of Ilva (Elba), accompanied by his good friend M. Aurelius Cotta Maximus, when he was summoned to Rome. There is no direct evidence to suggest that it was the edict of *relegatio* that reached him on the island. This seems unlikely since the sentence would almost definitely have had to have been passed in Rome and that might have occurred only during Augustus' private interview with Ovid. Indeed, the suggestion of a penalty of any kind is not mentioned, and such an assumption would be inconsistent with the probable meaning of Ovid's statement to Cotta (*Ex Ponto* 2.3.65-66), when he related how the latter had become distraught at receiving

²⁴⁹The orator and satirist Cassius Severus was one of the writers who was exiled in AD 8 for publishing *famosi libelli*. Jerome (*Chron. Ab Abraham* 2048) says Severus died in AD 32/33 in the twenty-fifth year of his exile, which dates the trial to AD 8. He was condemned for defaming high-ranking people, including Paullus Fabius Maximus and Nonius Asprenas. He was banished to Crete. The punishment also included the public burning of his libellous books (*Ann.* 1.72), though some of his works survived and Caligula later permitted them to be read. Severus had his place of exile worsened because he had perpetuated his inimical practices (*Ann.* 4.21). The exact terms of his exile are unclear, but the first sentence passed on him would probably have been *relegatio*. This is because he was eventually removed to the bleak island of Seriphos with the loss of all his property: *bonisque exutus, interdixit igni atque aqua, saxo Seripho consenuit* (*Ann.* 4.21). This coincides with the evidence of the *Digest* where it states that anyone who transgresses the sentence of *relegatio* automatically suffers the harsher penalty of *aquae et ignis interdictio*. For one of the most recent discussions on the dating of Cassius Severus' second sentence of exile, see D'Hautcourt, A., "L'exile de Cassius Severus: hypothese nouvelle", *Latomus* 54 (1995) 315ff.

news of the poet's banishment. Just what Ovid was doing on Elba is open to conjecture. He may have had an inkling of the impending awful news and decided to leave the city to postpone its arrival, but it would be hazardous to suggest that he was already in flight. When Ovid left Cotta, who remained on Elba, he did not realise it was the last time he would see his friend.

On his return to Rome, Ovid found no public proceedings instituted against him, but we learn from the poet that the reasons for his exile were twofold, *carmen et error* (*Tristia* 2.207). The poet names the *carmen* as the *Ars Amatoria*, but the *error* remains a mystery to this day. The *carmen*, though in essence going against the sense of Augustus' moral reforms, was not deemed sufficiently subversive on its own to be the target of a prosecution, though one feels that the emperor could easily have manufactured a charge worthy of the sentence of *relegatio* if he genuinely did regard the poet as *obsceni doctor adulterii* (*Tristia* 2.212). The fact that the *Ars* had been published years before and Ovid had gone unpunished for around a decade after it first appeared argues strongly against the potency of the charge (*Tristia* 2.545-6). Ovid himself (*Ex Ponto* 3.3.71-2) reveals that the *Ars* contained no viciousness, but something else harmed him more.

The *error* was too delicate for a public trial. Accordingly there were no formal court proceedings (*Tristia* 2.132), which would normally have taken place through the *iudicium publicum*. The semblance of a "trial" may have accorded with that of a *cognitio extra ordinem*, in which the magistrate had a freer hand and procedural red tape was cut to a minimum. The decision of the imperially appointed judge, which in this case was Augustus himself, was all that was required to initiate the legal process. A special permanent court existed to try crimes of adultery and another to try cases of *maiestas*, but Ovid was not tried by such a court. The reason for this was probably that he had

committed no such crime. This may also account for the language Augustus used, which was specially adapted for Ovid's fate (*Tristia* 2.138). The poet says he had merely seen something, although of such a delicate nature, politically or otherwise, that the privacy of Augustus's own rooms was required to protect the imperial secret. On the basis of the standard procedure of later times (*Ann.* 11.2), there was the possibility that Augustus did conduct formal trials *in camera* at his palace or villa, but only in the most serious of cases and to avoid publicity. This would almost certainly have been the case when Augustus exiled his daughter Julia in 2 BC and then his granddaughter in AD 8 as well as her brother in AD 7. The most persuasive proof that Augustus heard criminal cases in his own person was the identical practice of Tiberius, who generally adhered almost slavishly to the procedure of his predecessor. Ovid's account firmly suggests that he saw the emperor personally (*Tristia* 2.133) and he was therefore given some sort of hearing, however summary, and sentenced by Augustus himself. If Augustus, in private, had unleashed his full wrath on Ovid, there would have been no chance of rebuttal. One wonders whether Ovid would have been afforded any opportunity to defend himself or his actions, but whatever the case, once sentence was passed, there was absolutely no chance of an appeal against the imperial decree.

Evans has suggested that the emperor's "displeasure" towards Ovid might have taken the form of an act of *renuntiatio amicitiae* similar to that aimed at Cornelius Gallus and then Decimus Silanus in AD 8 for his adultery with the Younger Julia some thirty years later²⁵⁰. However, in the case of Silanus it is true that he took himself into exile, but there was no specific pronouncement of banishment, as there had been in Ovid's case, and Gallus'

²⁵⁰A similar view is held by Rogers, R.S., "The Emperor's Displeasure and Ovid", *Transactions of the American Philological Association* 97 (1966) 373-378. He interprets Ovid's *relegatio* as an expression of *renuntiatio amicitiae*, executed by magisterial *coercitio*.

relationship with Augustus had been a genuine friendship. The same could not have been said of the emperor's dealings with Ovid. Perhaps more significantly, Silanus, through his brother, had petitioned Tiberius for the possibility of a return to Rome. It was granted, though the *renuntiatio amicitiae* remained in place, whereas Ovid was left to languish in remote Tomis despite his repeated pleas for a recall.

The *error* of Ovid has been the subject of a multitude of conjectural theories. They have already been exhaustively catalogued elsewhere and further discussion would be a futile exercise in terms of trying to unravel the 2,000-year-old mystery²⁵¹. Suffice to say that a considerable groundswell of opinion veers towards a link between Ovid and Augustus' granddaughter, Julia, either directly through adultery, which is doubtful, or indirectly through having somehow facilitated her adultery with others (possibly influencing her through his poetry), or through a political conspiracy²⁵². The adultery theory seems unlikely. The exilic poems written to his wife show just how devoted Ovid was to her and there are no apologies for infidelity in any of their tender verses. Ovid certainly played the role of the *praeceptor amoris* (*Ars Amatoria* 1.17) in his poetry, but there is nothing to suggest that he followed the advice of his literary *persona*. Also, from a legal point of view, Ovid's banishment did not include the penalty commonly applied to the crime of adultery laid down in Augustus' own *lex Iulia de adulteriis coercendis*, where it stated that the guilty party should suffer *relegatio* with the loss of one half of his property, but should be allowed to retain his civic rights. Ovid suffered *relegatio* and was allowed to retain his civic rights - but his property also remained untouched, so

²⁵¹Thibault, J.C., *The Mystery of Ovid's Exile* (Berkeley and Los Angeles: University of California Press, 1964) 20ff, gives the most comprehensive list of theories regarding the *error*.

²⁵²The suggestion that Julia's offences should strictly have been classified as *stuprum*, since she was a widow, is countered by the position of her *adulterium* in Pliny's list of Augustus' misfortunes (*Nat. Hist.* 7.149), which implies that she had already committed a number of crimes before the death of her husband.

it would appear that adultery was not the charge²⁵³. Thibault concurs with this view, stating that Ovid must have *seen* something, and pointedly remarks that adultery "is decidedly not committed with the eyes"²⁵⁴. One of the most plausible theories is that Ovid had witnessed the "marriage" of the younger Julia to D. Silanus, a match that would have had much going for it considering that the emperor's granddaughter would have been a widow when it occurred and Silanus was clearly related to the imperial family²⁵⁵. There is also Ovid's own statement that he misunderstood what he saw and that he remained silent when friendly advice might have saved him (*Tristia* 2.103ff; 3.6.13ff). In addition, there is direct evidence for the marriage from an anonymous source²⁵⁶, and the consideration that Augustus would have been unlikely to order the exposure of Julia's child born in exile had it been the offspring of her lawful husband L. Aemilius Paullus.

It has been suggested that Ovid's phrase *cur aliquid vidi* (*Tristia* 2.103) need not be taken literally to mean that he was being punished for something he had seen and that the mention of Actaeon and Diana at this point in the *Tristia* should be related to the story about the same protagonists in *Metamorphoses* 3²⁵⁷. Diana's over-reaction, depicted as a fit of pique motivated by her spontaneous response to her sense of personal outrage is equated with that of Augustus²⁵⁸; her immediate reaction is to wish that she had her arrows at the ready to punish Actaeon without hearing any plea in mitigation of his action. Ovid imbues his version of the myth with a strong sense of Diana's

²⁵³Claassen, J.-M., *op. cit.*, 102ff, rightly describes Ovid as an outcast in terms of his loss of opportunity for participation in Roman life, but wrongly describes his "depersonalisation, a concept inherent in the formal Roman terminology for the loss of civil status preceding exile, *capitis diminutio*" as if he had suffered the worst form of exile. His status was radically altered, but his civic rights definitely remained intact.

²⁵⁴Thibault, J.C., *op. cit.*, 54.

²⁵⁵See Levick, B., "The Fall of Julia The Younger," *Latomus* 35 (1976) 335ff.

²⁵⁶See Levick, B., *ibid.*, 336

²⁵⁷See Williams, G.D., *op. cit.*, 174.

²⁵⁸See Williams, G.D., *op. cit.* 174ff.

vindictiveness, which would probably have not been present in the original Hellenistic exemplar. Ovid specifically uses the myth in the *Metamorphoses* at this point in the *Tristia* to align his own situation with that of the innocent and unwitting Actaeon. It is only natural that if Ovid is seen to identify with the *persona* of Actaeon, the figure of Diana would be meant to represent Augustus. The ambivalently worded account of the myth leaves the reader to decide whether, in the later poem, Diana/Augustus was right to react in so harsh a manner towards Actaeon/Ovid. The implication from this scenario, bearing in mind that Ovid is presenting a defence for himself, is that Ovid himself has been harshly and unfairly dealt with by Augustus, a theme that arises consistently throughout the exilic poems, but most often recurs during *Tristia* 2.

Yet Ovid emphasises the fact that the *error* was the result of seeing something. This is forcefully revealed in *Tristia* 3.5.45ff, where the poet states that he did not seek to harm the life of Caesar, he had said nothing in speech, nor been insulting to the emperor owing to a surfeit of wine. The reason lies in lines 49-50: *inscia quod crimen viderunt lumina, plector,/peccatumque oculos est habuisse meum*. This is substantiated in the poem which immediately follows: *nec breve nec tutum, quo sint mea, dicere, casu/lumina funesti conscia facta mali* (*Tristia* 3.6.27-28). The way in which Ovid reiterates the point that it was something he saw which led to his downfall tends to diminish the number of possibilities and would appear to point at a misdemeanour along the lines of the one indicated by Levick. This would also explain why, even if he had not committed adultery himself, Ovid's *error* might have occasioned, in some way, a charge of *maiestas*, for Augustus, according to the testimony of Tacitus (*Ann.* 3.24) and Dio (58.24), had gone beyond custom and the scope of even his own laws in so classifying sexual misconduct with women of his

family²⁵⁹. There is also Dio's explicit statement (55.10) that after the exile of Julia, Augustus was asked to take charge of judicial proceedings in numerous cases of adultery among the aristocracy of Rome. In some of the more flagrant and recent cases he certainly did decree severe punishments. Other possibilities are that he had special jurisdiction in such matters, once again under the *lex Iulia de adulteriis coercendis*, or that he may also have had special powers in his capacity as *magister morum*, an office bestowed on him in 19 BC for five years and, quite possibly, renewed at the expiration of that term.

The other main theory, that of political intrigue, once again involves members of the imperial family, particularly the Younger Julia and Agrippa Postumus, who, of course, had both been exiled to separate islands. The main thrust of this theory is that a conspiracy had been mounted to free the two grandchildren of Augustus and then transport them to the legions, probably in Germany, where they were to assume imperial command. It is a plausible conjecture when one considers the advanced age of Augustus at that time, as well as the antipathy that existed between the Julian and Claudian factions of the imperial family²⁶⁰. A more unusual version of this theory is that of Shuckburgh²⁶¹, who connects Ovid's visit to Elba with that island's proximity to Planasia where Agrippa Postumus had been exiled, the latter island being between Corsica and Elba (Dio 55.32). Using evidence from the *Epistulae Ex Ponto* (2.3), the historian states that Fabius had property and a villa on Elba, where Ovid was staying when he received the decree telling him to return to

²⁵⁹Otis, B., *Ovid as an Epic Poet* (Cambridge: CUP, 1970) 21, makes the point that the *Ars Amatoria* alone would never have led to Ovid's exile and that it must have been an overt act - probably an act of voluntary or involuntary participation in some sexual scandal - to provoke the actual *relegatio*.

²⁶⁰Green, P., *Classical Bearings* (London: Thames & Hudson, 1989) 210, supports the theory that Ovid was involved in a political plot with the Julian faction. He describes the *carmen* as "mere diversionary camouflage designed to distract public attention from the real issues at stake".

²⁶¹Shuckburgh, E.S., *Tristia I* (London: Macmillan, 1925) intr. viii.

Rome, and such a situation may help to explain why Fabius' name was associated with the supposed visit to Planasia by Augustus in AD 14²⁶².

An easier conclusion is that Ovid had no real case to answer at all and was merely a scapegoat for Augustus' failed moral reforms²⁶³. The poet had been much too obviously in step with his age and was seen to symbolise an attitude of political disinterest, social irresponsibility, and self-indulgent individualism that marked the post-Civil War generation in Roman society. It was an attitude, which involved "sexual irregularity"²⁶⁴, that the forces represented by Augustus were determined to suppress. The Victorian authorities reacted in a similar way to one of the wittiest and most elegant writers of their time, Oscar Wilde, and the harsh treatment meted out to him resulted in his voluntary exile to the Continent. The Augustan forces, acting for the preservation of a state menaced by disintegration, attained at least a symbolical triumph when they banished the foremost representative of over-refined aestheticism and sensualism to the crudest and least refined outpost of the empire. Wilde subsequently had the authorship of his name ignominiously erased from theatre billboards promoting his plays in London, Ovid had his books banned from public libraries in Rome, a form of censorship that was unprecedented as far as literary figures were concerned.

The fact remains that, if there had been a real case to answer which would not have compromised Augustus, the *princeps* would have had few qualms about pressing the issue publicly. By the time of Ovid's "trial", the emperor would have had a wide range of judicial experience. His involvement

²⁶²That Fabius died mysteriously after the supposed visit, as indeed did Augustus, and that Ovid had already been exiled are circumstances which can be woven into a conjectural scenario, but, without the weight of reliable fact, they remain pure speculation.

²⁶³Syme, R., *TRR*, 468.

²⁶⁴Wilkinson, L.P., *Ovid Recalled* (Cambridge: CUP, 1955) 294.

in dealing with those who had committed crimes that led to exile is mentioned in the previous chapter, so what harm would have come from the banishment of a troublesome poet? Wilkinson states: "Incensed at his continued failure to reform society, Augustus chose the most obvious representative (*repertus ego*) of what he wished to crush, and made him a scapegoat in a most public and extreme way"²⁶⁵. Thus, Ovid might never have known the real cause of his exile and might have spent his banishment at Tomis lamenting an *error* that was not only venial, but wholly irrelevant.

If we put to one side the possible, yet unfathomable, reasons for his *error*, the picture of the series of events leading to Ovid's exile becomes clearer. He was subjected to a severe tongue-lashing by Augustus, was ordered out of Italy by a specific date, and was commanded to reside in Tomis, a small outpost on the most distant and inhospitable frontier of the Empire. Ovid even suggests that, like Cicero, he was tempted to take his own life, rather than go into exile, but he was dissuaded from this by one of the few friends who remained loyal to him during his moment of shame (*Tristia* 1.5.5-6). The sentence of exile was promulgated by an edict addressed both to Ovid and to the public. By it, Ovid's life was spared, his property remained his own, and he retained his rights of citizenship. But he was sentenced to proceed to Tomis and to make his home there. Ovid gives no indication of any allowance he might have been permitted to take with him into exile, unlike the financial assistance given to Cicero, prior to his departure, by Atticus. The poet mentions that he was not punished by the *aquae et ignis interdictio*, but by *relegatio*, as he confirms: *quippe relegatus, non exul, dicor in illo* (*Tristia* 2.137). The decision not to confiscate any of the poet's property under the terms of the *relegatio* suggests that Ovid may have been able to arrange his

²⁶⁵Wilkinson, L.P., *op. cit.*, 298.

financial affairs to ensure he had some funds, at least during the initial period of his exile, but such prosaic considerations are never discussed in Ovid's poetry. Although he still retained his civic rights, Ovid uses the word *exilium* in his writing - mainly for its strong, emotive effect - but as a *relegatus* an imperial pardon and a recall to Rome was always possible and that thought kept alive the hope that he might be able to return.

RELEGATIO TO A DISTANT LAND

In contrast to Cicero, Ovid gives few clues as to whether he took any attendants with him on the voyage into exile²⁶⁶. The closest we get to any indication is a remark in *Tristia* 1.3.9-10, where he says he gave no thought to selecting any slaves, a companion or the clothes suited to an exile. Ovid plays upon this point later in the same book (*Tristia* 1.5.63-64) when he complains that Odysseus had it easier in his seaward journey because he had a picked band of true companions, whereas the poet was abandoned by his comrades. Technically, Ovid should have been able to take at least twenty slaves or freedmen with him into exile, but he omits any mention of such a possibility²⁶⁷. This lack of information, naturally, suits the poet's scheme of presenting himself as a lone figure facing the vicissitudes of exile, but it also reaffirms the sense of unreality which pervades the poems from Tomis.

The worst aspects of Ovid's *relegatio* were, firstly, the fact that he was assigned a specific place of residence and, secondly, the very nature of that destination; this was totally unlike the sentence passed on Cicero, who, through the *aquae et ignis interdictio*, was theoretically able to move around as freely

²⁶⁶In comparison, Cicero takes a veritable entourage with him into exile.

²⁶⁷This is the number allowed under Augustus' tightening of restrictions on exiles in AD 12 (Dio 56.27.2), though it is probable that an exile was permitted to take more before this date.

as he wished provided he kept beyond the 400-mile boundary imposed by Clodius' second bill. However, Cicero's journey into exile was much more fraught with danger than Ovid's, particularly because the Catilinarian conspirators who had been exiled would have been afforded a similar freedom of movement. We are given the impression that Cicero's life was at risk, especially when he seeks any safe haven on the Italian mainland or abroad. Ovid informs us that the greatest danger facing him, at least on the journey, was from the storms that beset him at sea.

A question which ought to be addressed at this point is why was Augustus so unrelenting in his punishment of Ovid? The poet himself does not simply allude to this fact in the Actaeon/Diana myth, he actually writes that the *princeps* treated him more cruelly than any *hostis* (*Tristia* 2.43ff) and banished him farther from his native land than any other exile (*Tristia* 2.188). This, certainly, is no exaggeration and is relevant to the contention that the sentence of exile gradually worsened during the principate, since no one in Roman history had been exiled to so remote a place. Ovid tellingly makes the point that, though others might have been exiled for more serious causes, they were never banished so far away (*Tristia* 2.193-194). Indeed, as far as can be gauged from the extant sources, no one was banished beyond the distance of Ovid's destination throughout the whole period of the dynasty - though many suffered the harsher exile of *deportatio* under the later emperors.

It is hardly surprising, then, that Ovid unfavourably compares his own sentence with those of conquered foes who had taken up arms against Augustus but had been pardoned (*Tristia* 2.43-44). Even the assassins of Julius Caesar technically would not have been subject to such harsh treatment as far as the place of their exile was concerned, but then it has to be considered that the case of Ovid occurred more than half a century later when Augustus,

"an ageing and irritable autocrat"²⁶⁸, had grown used to his omnipotency and was facing an especially difficult period in his principate.

One scholar has succinctly summarised the urgent ferocity of the punishment by stating: "Part of the shattering effect of the sentence was due to its typically tyrannical abruptness, admitting no delay."²⁶⁹ Ovid reveals that he was in a state of numbness prior to his meeting with Augustus. The sentence of exile must have been a devastating blow following such intolerable suspense. But why, if the *Ars Amatoria* (in conjunction with the *error*) was a direct cause of Ovid's exile, did Augustus wait for several years before condemning the culprit? And if one of the two offences was really a poem, why did Augustus allow Ovid to continue publishing poetry both during those intervening years and after his removal from Rome? One possibility for the emperor's action is that, at the time of Ovid's "trial", Augustus found himself in a politically vulnerable situation through military, financial and dynastic problems (Dio 60.27.2). This may have been the prime reason for the harshness of Ovid's sentence. Another possibility, referred to above, was Ovid's blatant lack of reformatory zeal, which ran counter to the new Augustan policies and, to some, marked the poet out as dissentient to the Augustan vision. As he watched his intended new regime faltering badly, Augustus might well have considered that the imperial propaganda for his reconstructed Rome was being seriously and malevolently undermined by the promotion of amoral attitudes²⁷⁰. Whether Ovid's writing was deliberately subversive, as the scholastic proponents of an anti-Augustan theory would have it, or indeed whether the poet was actually pro-Augustan, as others have suggested, is a debate that has been raging for many years, with even those who have taken

²⁶⁸Melville, A.D. tr., intr. by Kenney, E.J., *Ovid: Sorrows Of An Exile* (Oxford: OUP, 1992) xiv.

²⁶⁹Shackleton-Bailey, D.R., "Notes on Ovid's Poems From Exile," *Classical Quarterly* 32 (1982) 391.

²⁷⁰Ovid was not the only writer to fall. Others included Iunius Novatus and Cassius Severus (*Ann.* 1.72.4; 4.21.5).

part in it changing their views over the course of time²⁷¹. Ovid's harsh punishment does seem similar to Augustus' treatment of his daughter and granddaughter, who both suffered severely at his hands, even though he appeared to be more lenient to other high-ranking men and women guilty of similar misdemeanours. The final possibility, which has been mentioned previously, is that perhaps there is no satisfactory answer and the *carmen et error* were merely pretexts for exiling Ovid. The poet is the only source to inform us of the alleged reasons for his banishment and, since it is highly unlikely that Augustus would have had anything to do with the poet after their private meeting, even the reasons given for his *relegatio* might have been uttered in an imperial fit of pique to which Ovid alludes in *Tristia* 2.103. Anger can certainly distort facts and supply falsehoods to the reasons that fuel it.

There is even a theory that Ovid might have voluntarily agreed to have been relegated in place of a harsher penalty, such as an official *exilium* in the form of the *aquae et ignis interdictio* or death, and the poet might not have realised what the conditions in Tomis were like²⁷². This, however, is simply too hard to accept, firstly because of the many inferences in Ovid's own poetry from exile that Augustus would probably not have been inclined to bargain about his punishment when they had their interview, and secondly, because Ovid had read Virgil's works in which the severe conditions in Scythia, with which Tomis was synonymous, are described.

In spite of the harshness of his sentence, Ovid maintained hope of a reprieve because of the fact that Augustus had deliberately prescribed for him what was considered the lesser of the two Roman forms of exile - it all depended on the decision of the emperor. It is here that we observe the

²⁷¹See Raaflaub, K.A. and Toher, M. ed., *op. cit.*, 240-241.

²⁷²See Evans, H.B., *op. cit.*, 4.

fundamental differences between Ovid's exile and the banishment of Cicero. The latter exerted all the political muscle he could muster from his vulnerable circumstance, principally through the assistance of Atticus, to foster the support of those in influential positions, especially Pompey, who were sympathetic to his cause. It was not an appeal to one person, but an attempt to manoeuvre the majority of a democratic voting body to effect his recall. The dynasts had originally orchestrated events to suit their ends (i.e. Cicero's removal from the affairs of state), but their alliance could be riven, as Pompey proved. In Ovid's case, the dynastic element had now become virtually a monolithic entity. Though he had received the patronage of politicians, Ovid was never one himself and those whose support he was able to count upon possessed too little leverage to ameliorate or reverse the heavy sentence of a "god".

But the poet was still able to believe in the possibility of a change in circumstances on the death of the aged emperor. This explains Ovid's overtures and eulogies to certain members of the imperial family, particularly Germanicus, whom he considered to be the most sympathetic to his cause. As the dynasty continued, edicts of exile often lost their effect upon the death of the emperor who issued them, unless they were confirmed by his successor. There is no evidence that such a procedure was adopted on the death of Augustus whose position as emperor was unprecedented. But even if such a rule had existed at the time of Augustus' death, Tiberius would in all probability have followed the example of his predecessor and would have confirmed Ovid's sentence. Had the poet lived later, during the early reigns of Caligula or Claudius, his situation might have been entirely different.²⁷³

²⁷³Both emperors declared an amnesty for most exiles at the beginning of their reigns.

THE EXILE'S EPIC JOURNEY

The opening book of the *Tristia* is much more concerned with the poet's journey into exile than his eventual destination, but Ovid's immediate use of allusion and references to well-known poetry indicates that, although he states that the work itself is *incultus*, this is merely the programmatic example of *dissimulatio* which pervades the whole exilic canon²⁷⁴. He prepares the initiated reader by referring to works of Horace and Catullus, as well as the *Heroides*, which has the effect of reversing the stock theme of a stranded heroine writing home to her lover. Ovid's decision to concentrate on the journey into exile rather than Tomis itself in his first book is similar in this respect to Cicero's account of his route into banishment, but it has much less of the freneticism of the Republican's departure from Brundisium and more of the perilous tension associated with the maritime adventures of an epic hero. This is apt, since the poet presents himself as an Odysseus/Aeneas figure embarking on a winter voyage beset by storms and danger. In *Tristia* 1.5, he uses a prolonged *syncrisis* to compare how his torments actually surpass those of Odysseus, a theme to which he returns when he declares *mala toto patior iactatus in orbe* (*Tristia* 4.1), which invokes the memory of Aeneas as *et terris iactatus et alto* (*Aeneid* 1.3). Ovid's sufferings, therefore, appear to encompass the whole world and he is seen to have suffered more than the two epic characters with whom he initially compares himself.

We sail with Ovid on his ship Minerva, whose name seems more than a passing coincidence when one considers that Cicero placed a statue of the same goddess at his Palatine home to act as a sign of security for Rome while he was in exile. The journey to Tomis is not unfamiliar to Ovid's Roman audience,

²⁷⁴See Hinds, S., "Booking the Return Trip: Ovid and *Tristia* I," *Proceedings of the Cambridge Philological Society* (1985) 13ff.

either, since it invokes Catullus 4 and 31 (*Tristia* 1.11, in particular, concentrates on the exile's psychological journey). The course is roughly the same as the *phaselus* in Catullus 4, but then the exile decides to travel part of the way on foot over the Bistonian plain (Thrace) after being dropped off at Tempyra, the implication being that Ovid rejoined his ship once again at Thynia. The ship also passes the Hellespont and Propontis. What becomes clear about the names of the cities mentioned during the voyage is that the reader is being presented with a *periplous* through Ovid's use of literary allusion. As much as anything, it is a poetic journey. The cities named in order between Apollonia and Tomis, i.e. Ancialos, Mesembria, Odessos, Dionysopolis and Callatis, occur exactly thus in the second-century *periplous* of Ptolemy. Not only that: Ovid also inverts the order of another *periplous* by his contemporary, the Greek geographer Strabo, when he gives a catalogue of Pontic cities that the exile passes. Strabo is frequently quoted as a source for early geographical and anthropological knowledge, but, as with Ovid's exile, his contemporaries are silent about Strabo's *Geographia*. But the suggestion has been made that there are parallels as far as the two writers are concerned and Strabo could have been one of Ovid's geographical sources²⁷⁵.

Cosmology also plays its part in emphasising the sense of great distance between Tomis and Rome. Ovid's constant references to the stars and the greater distance by sea between the two places as opposed to their latitudinal positions, adds to the impression of a vast gulf between the two worlds. The most notable constellation mentioned is that of Callisto, the Great Bear. This unfortunate nymph, according to Ovid's account in the *Metamorphoses* 2.401-530, was formerly a prime victim of the supreme god Jupiter. Everyone knew about Callisto's liaison, except for her mistress Diana, whose divine innocence

²⁷⁵See Green, P., *op. cit.*, intr. xxiv

precluded any carnal knowledge. The allusions to Diana, its connection with the Actaeon myth and the mention of Jupiter all point towards Augustus, especially since there is also the writing of Suetonius (*Aug.* 80) that says Augustus had a set of birthmarks on his chest which resembled the constellation of Ursa Major. Ovid may thus be using a double-edged interpretation to show how the town he is in groans under the weight of the Polar constellations and, more personally, how he is oppressed now by Augustus.

Another method of accentuating the supposed distance between Tomis and Rome is seen in *Tristia* 3.12.37-40, when Ovid claims that letters arrive rarely and a Latin-speaking sailor even less frequently (33f). The effect is repeated in the *Epistulae Ex Ponto* 4.11.15ff when the poet declares that a year is needed for a single exchange of correspondence. This, however, goes against the grain of a previous poem where Ovid informs his personified letter that it will arrive in Rome "in less than ten days" (*Ex Ponto* 4.5.7). There is no exact information on the amount of time it would have taken mail to travel between Tomis and Rome, but ten days would seem to be rather optimistic because the average period of time for correspondence to travel one-way would have been more likely to be around six or seven weeks. Ovid seems to be presenting more of an exilic trope here. What is not clear is whether Ovid is talking about his real private correspondence or about his poems, in which case they would indeed take a long time to arrive since he was in the habit of sending them in book form.

"LIVING DEATH" OF EXILE

Ovid's description of life at Tomis begins shortly after his arrival in the late summer or early autumn of AD 9. This third book of the *Tristia* was completed

and sent to Rome for publication sometime in the middle of AD 10. Unlike the frantic and very personal writing of Cicero, Ovid gives a broad picture of life in his new surroundings, though actual physical landmarks that might have been corroborated by historians are omitted. He concentrates on the discomfort of exile through complaints of illness, the freezing cold and the ferocity of the region. He also feels compelled not to identify his addressees in each poem, with the exception of his wife and step-daughter Perilla²⁷⁶. This reluctance to name his friends would seem to be a futile exercise - unless that anonymity disguises the fact that he is addressing moral types rather than specific individuals²⁷⁷. In better times, his addressees would have been proud to have been mentioned in his verse (*Tristia* 3.4.67-8), but now his situation is such that he does not wish to put them at risk. This attitude is significant in that it shows Ovid employing caution learned from his own bitter experience and it conveys the burden of shame that the exiled person is forced to carry, whether innocent or guilty. It was a similar situation when Cicero returned from exile but was still mocked by certain parties for having been banished. Ovid is clearly articulating the fact that shame is part and parcel of the sentence of exile - to the extent that it also brings disgrace on the victim's family and friends. By deciding not to name his friends in the *Tristia*, Ovid thus gives his readers an appreciation of the sense of shame in that it is brought home to them how disgrace can become attributable to others merely by their choice of continued association with the exilic victim. The absence of names, at least as far as the *Tristia* are concerned, has led some scholars to comment that the collection suffers from a monotony of subject, but this demonstrates more of a deficiency on their part than on that of Ovid. Compared with the literary sterility of Cicero's letters and Seneca's *consolationes* from exile, Ovid's elegiac verse shows not only an altogether more acute sense of *variatio*, but a genuinely

²⁷⁶Ovid's wife is identified, but never mentioned by name.

²⁷⁷See Williams, G.D., *op. cit.*, 134.

impressive manipulation of classical themes that totally belies his claims that his poetry is in serious decline²⁷⁸.

The dramatic "deathbed" letter (*Tristia* 3.3) is written by another unnamed person because Ovid is too ill to write. This in itself shows the presence of at least a servant or helper conversant in Latin, which is in direct contradiction to the poet's later complaints that his proficiency in the language is waning because he has no one with whom to share it. The poem presents the deathbed scene, the conditions in Tomis, the brackish water, and the lack of friends. Here is one of the key themes of exile, which has been discussed in the opening chapter of this thesis, when Ovid reflects on the significance of death away from his wife and he asks for burial in Italy. He emphasises the importance of these remarks by stating that he will not be dying for the first time, since exile is already a living death (53-54). This idea of "death in exile" is a recurrent trope (*Tristia* 5.9.19; *Ex Ponto* 1.8.27; 4.9.74), which is suggested as early as *Tristia* 1.3 when he compares his family and friends to mourners at a funeral (1.3.22-3). In *Tristia* 3.3, he also gives instructions about his funeral rites, requests a simple urn and dictates the epitaph for his memorial. He remarks that, being buried abroad, his *umbra* will be forced to wander among those of savages, a picture that immediately conjures up thoughts of Virgil's phrase at *Aeneid* 6.706 to depict the souls fluttering on the banks of the river Lethe, though he stresses that his funeral and tomb are not of great importance in comparison with his literary works. The motif of the cold of Pontus being similar to the underworld is another recurrent theme. The "death in exile" trope also serves a purpose in that the elegiac mode of writing is ideally suited for Ovid's "poetic experiments", as Kenney puts it²⁷⁹, owing to the form's

²⁷⁸See Williams, G.D., *op. cit.*, *passim*.

²⁷⁹See Kenney, E.J., "Ovid", *The Cambridge History of Classical Literature* II (1982): 420-457.

association with grief and sadness. The metaphor of exile as civil death is used for Ovid's poetic death, another symbol illustrating the effect of separation from Rome²⁸⁰.

It is poignant that the words Ovid chose in this poem for his epitaph (*Tristia* 3.3.73-76) are still standing today in Romania on the plinth of the superb statue to him, though its location, just a few hundred yards from the Black Sea, is not above where he is actually buried - that resting place remains unknown to this day. Ovid's epitaph is in keeping with others of antiquity wherein one finds an address to the wandering traveller who stops to view the words, as well as a wish for peaceful repose. Today in Constantza - the modern Tomis - there stand several epitaphs in Greek, just a few yards to the right of Ovid's statue, which carry similar messages and are the original epitaphs from around the first and second century AD, though they are also not placed above actual graves.

In a later poem (*Tristia* 3.8), Ovid reviews the hardships of exile, treating both the physical conditions and its mental effects. He describes how the climate, food, and water do not agree with him. He is now sick, has no appetite, cannot sleep at night and he has aches and pains - complaints similar to Cicero's state during his exile, but intriguingly reminiscent of those he mentions in *Amores* 1.2.3-4 as a young suitor wracked by the stress of love²⁸¹. Characteristically, Ovid adds a further poetic touch by saying that his colour is like that of the autumn leaves, an allusion to *Aeneid* 6.309-10, where Virgil compares the souls waiting for passage across the Styx to leaves, suggesting a stage of decay, perhaps even to indicate that the poet is now in the autumn of

²⁸⁰See Nagle, B.R., *op. cit.*, 169.

²⁸¹Nagle, B.R., *op. cit.*, 169, picks up on this point and remarks that the analogy of the *dolores exilii* to the *dolores amoris* with all the attendant adaptations of the diction and themes of Augustan erotic elegy, is truly ingenious.

his existence. He is no healthier in mind than in body, but, significantly in the last line of the poem he repeats his hope for a milder place of exile.

TOMIS

As far as his place of exile is concerned, Ovid refers to the origin of the name Tomis (*Tristia* 3.9) by linking it in this aetiological poem with inhuman, bloody deeds through a connection with the Medea myth and reminds his readers that although Pontus has long been associated with colonization by the Greeks, it is still a world of savage brutality. His juxtaposition of *Getis Graias* is a deliberate piece of word-play that reflects the native peoples living side by side in Tomis. He mentions the mythical legend but places his main emphasis on the connection between the name Tomis and the Greek verb *temno* (to cut). Thus, from his first discussion of the town's origin, the reader is expected to associate Tomis with cruel, inhuman deeds and death. Concomitant with this is Ovid's first long description of Pontus, which gives special emphasis to its harsh winter and the savagery of the surrounding tribes. The Danube wards off the vicious neighbours during the warmer months, but in the winter they have easy access to Tomis across the frozen river.

The extremes of climate - allusions to the Scythian cold are a commonplace in ancient literature - are fully emphasised. His account of the Pontic winter is modelled primarily on the famous "Scythian digression" of the *Georgics* (3.349-83), in which Virgil describes an extreme winter unsuitable for the keeping of herds, but the description also serves as a reminder of his image of himself awaiting the Stygian torments of death in exile, with the cold of Pontus being as unbearable as that of the underworld. He describes at length unusual phenomena of winter in Tomis, such as icicles in beards, rivers freezing over, and bronze cracking. In his final lines he stresses the plight of the native

farmers and describes the countryside as *nudos sine fronde, sine arbore, campos* in a direct reminiscence of *Georgics* 3.352-53: *neque ullae/aut herbae campo apparent aut arbore frondes*. Tomis is pictured as a land which bears no vines and produces no wine or fruits, an image associated with a lack of culture and one which Seneca echoes in his own description of life away from Rome. The region on the lower Danube is an inversion of Italy as represented in *Georgics* 2.136ff, in that winter is almost omnipresent in Tomis and even spring becomes a rare occurrence depicted only as a brief hiatus in the eternal winter. Ovid expected his readers to recognise these Virgilian echoes, which show that he must live in a land of extreme cold, quite unlike Italy, the *Saturnia tellus*²⁸². But, unlike Virgil, who gives the impression that Italy is ideally suited between the extremes of north and south, Scythia and Libya, Ovid informs his readers that the place where he has been banished is literally a polarized social and cultural antithesis to Rome itself²⁸³. Whereas Virgil described the polarized "ends of the earth" from his comfort in Rome, Ovid is right at the extreme edge - and living amidst the barbarism that is part of that existence. The idea of extremes is also reinforced by Ovid's mention of his step-daughter Perilla, who is said to have been in Libya when Ovid was exiled (*Tristia* 1.3.19). The mention of Libya, which was regarded in ancient times as the opposite pole to Scythia, accentuates Ovid's sense of distance from his family and friends. Ovid thus gives much greater pathos to his picture of Tomis: exile here is a punishment far too harsh for his offence.

Even when describing Tomis during the spring, Ovid relates the unending torment of the exile by recalling the seasonal changes he would have been delighted to witness in Rome, such as the vines and trees, were he but

²⁸²See Williams, G.D., *op. cit.*, 14, who gives a full exposition of the contrast between Golden Age Rome and Tomis.

²⁸³Lucretius also mentions Pontus as the north-eastern extremity of the world in *De Rerum Natura* 6.1108

given the opportunity (*Tristia* 3.12). He does concede that, with the arrival of warmer weather, Tomis has become less grim and unreal. The ice and snow are melting, men no longer drive across the Danube with the chance of threatening the populace, and ships are beginning to come to the town. Ovid will question visitors, and anyone who can bring him news of Rome will be a welcome guest in his home. He ends with a prayer that Augustus may relent and make the region only his *hospitium*, as opposed to his permanent home.

One of the most important features of Ovid's books from exile is his claim that his poetry is deteriorating. He consistently refers to his failing poetic *ingenium*, but the very words he uses to illustrate the cultural infertility of his writing ironically imply the opposite because of their constantly allusive subtlety. As well as exacting sympathy from the reader, he uses this method to embrace other means of expression, as seen through his use of poetic self-depreciation. Williams has fully demonstrated how Ovid manipulates his text and the sensibilities of any reader who is not alive to his extensive use of allusion.²⁸⁴ Ovid reinvents standard poetic convention to suit his ends²⁸⁵.

On a superficial level, Ovid's poetry from exile would appear to supply a fairly substantive description of Tomis during ancient times, but deeper investigation reveals that much is missing. We are never given anything like a full description of the dwelling Ovid lives in, nor the surrounding buildings. The people, too, are described but remain almost faceless in that the only features mentioned are the facts that the men have beards and wear trousers. There is, then, some weight in Wilkinson's argument that the poet did not mention the features of his environment initially unless they could be used to serve his

²⁸⁴See Williams, G.D., *op. cit.*, *passim*.

²⁸⁵A point also taken up by Nagle, B.R., *op. cit.*, 14, who comments that he "achieves and explains his originality by means of tradition, sometimes by adhering to it, sometimes by extrapolating or deviating from it".

purpose of a transfer of exile or a recall, contrasting Ovid's lack of description with the keen interest of the Elder Pliny, who "enjoyed information about strange people and lands and customs for its own sake"²⁸⁶. It may be argued that Wilkinson signally fails to acknowledge the huge difference between the two writers in their process of writing, in that one was totally free to carry out any research he may have wished to do, while the other endlessly seeks to attain his return from exile. Cicero is also guilty of imprecision on the places where he resided during the whole of his exile and he does not demonstrate any of Ovid's literary virtuosity.

Constantza, in the Dobrudja of Romania, is the town which now lies on the site of ancient Tomis and is found at the tip of a small peninsula seventy miles south of the main Danube delta. Tomis, which was founded during the late sixth century BC by Greeks from Miletus, was principally a trading port and fishery. The name *Tomis*, rather than *Tomi*, is justified by the practice of the MSS. of the *Tristia* and *Epistulae Ex Ponto*. It is also the older form of the name. In Latin, the form *Tomi* seems to appear first in Statius (*Silv.* 1.2.254), while Mela (2.2.5 in *de situ verbis*) uses a Greek plural, *Tomoe*, which Shuckburgh agrees with²⁸⁷, although he suggests that the oldest of coins found in the region give the name as *Tomi* and the earliest after the Roman occupation have the name of the people (Tomitans). Strabo uses both forms.

Of all the complaints Ovid makes about his exile, one of the most frequent is about the extremes of the weather. The poet's comments about the severity of the temperatures are easily disputed, however, since Constantza is actually on about the same latitude as Florence²⁸⁸. Others, such as Wilkinson,

²⁸⁶ Wilkinson, L.P., *op. cit.*, 361.

²⁸⁷ Shuckburgh, E.S., *op. cit.*, intr. xiv.

²⁸⁸ Green, P., *op. cit.*, intr. xxiv.

have pointed out that, to Ovid, the conditions might well have tested his mettle: "From modern experience the winters of the Dobrudja might well paralyse an Italian. The Guide Bleu describes the climate as '*tres continental, assez proche du climat russe*'. The winter is long and the temperature can fall to -30 or even -35."²⁸⁹ It is a view supported by Romanian lecturers from Constantza University who have remarked: "The winters here in Romania can indeed be very cold, sometimes going as low as -10 or -15, and even as low as -30 in the Carpathian Mountains."²⁹⁰ Ovid's bleak pictures may have been based on fact, then, but one cannot escape the thought that poetic licence has added to the chill. The cold and the ice, as Ovid describes them, are more to do with him being frozen out of Roman society than the real effects of the weather in Romania. Green, who describes the summers in Constantza as "Mediterranean, reaching temperatures of over 100 degrees Fahrenheit, the autumns mild and delightful", has commented that Ovid does not lie about the warm and pleasant conditions, he simply does not mention them²⁹¹.

Constantza at the end of the twentieth century remains a place of interest for the classicist, but even after just a few weeks any fascination with the town begins to pall and this must be considered when taking into account how much worse it would have been during Ovid's time. The town itself would have been much smaller, built on a peninsula and surrounded by the unwelcoming, harsh-looking sea and a battlement wall. Though it was soon to adopt the title of a *metropolis*, Tomis was in reality a tiny coastal town. The coast itself consists of an arid plateau which ends in a precipitous cliff. The shoreline is straight and offers no indentations in which a ship may find shelter, except at one place where a promontory projects eastward. This spur is about a

²⁸⁹Wilkinson, L.P., *op. cit.*, 334

²⁹⁰During an interview conducted by the author in October 1993 in Constantza.

²⁹¹Green, P., *op. cit.*, intr xxiv.

mile long and half as wide; its southern side is curved like a hook and provides the only harbour in the entire region. On the almost flat surface of the promontory is the town. These factual details have been invoked and used as ammunition against some of Ovid's descriptions. It has been argued that the poet writes of the town's city wall as being encircled by equestrian marauders as they surge over the frozen Ister (*Ex Ponto* 1.2.17-20), but the peninsular nature of the area, with only one flank exposed to the enemy, would hardly seem to make this possible²⁹². Naturally, there is always the counter-argument that Ovid is using poetic licence, but two inscriptions from Tomis, dated around the early years of the first century AD, mention the panic of the inhabitants when under attack and the creation of a civic guard. Ovid also says that the tumulus is a bad defence (*Tristia* 5.10.17ff), which has also been doubted, but even today there is an incline in some areas of what would have been the old town and, as far as any protective nature that might have been afforded by it is concerned, it is indeed slight.

The Greek influence on Tomis and the rest of the Dobrudja has a long history, based principally at Histria, just 50km north of where Ovid was exiled²⁹³. Ovid tells us the complexion of the town was more barbarian than Greek. Getae and Sarmatians had settled there in such numbers that they were in the majority (*Tristia* 5.7.11-14); no separate district was set aside for the Greeks to reside in (*Tristia* 5.10.29-30); the Greeks had adopted the native garb (*Tristia* 5.10.33-34) and such vestiges of the Greek language as survived

²⁹²Claassen, J-M., *op. cit.*, 81.

²⁹³There, V. Parvan found evidence of an Hellenic-Thracian community around the sixth century BC. Also in Histria, archaeologists discovered a brick carrying the name of a magistrate from the fourth century BC. The Thracian name shows that there was already in the Greek colony, during this period, a magistrate of Thracian origin and this evidence confirms the existence of a mixed population - Hellenic-barbarian. An inscription from Histria, dated around 200 BC, reveals that the town was being menaced by enemies and set about recruiting a voluntary soldier force, not only from among the citizens, but also among the barbarians who had taken refuge within its walls. This concurs with the theory mentioned by Ovid in Tomis that there was a Greek-Gete community, but with the difference that, at Tomis, each of the two peoples lived their own lives separately. Tomis itself had a history and position of its own and was supposed to be a Greek community.

in the speech of a few among them were atrociously mispronounced with native articulation (*Tristia* 5.7.51-52). As for the Latin language, no one knew any of the most common phrases (*Tristia* 5.7.53-54). It would be misleading, however, to take the view that the influence is more Getic than Greek. The artefacts that have been recovered from the epoch under study, such as monuments, inscriptions and coins, have all borne a purely Greek imprint, which tends to confirm the argument that, though considerably involved with the Getic and Thracian peoples, the town of Tomis and a few other free cities like it, served as tenuous outposts of comparative civilization maintaining strong elements of Greek/Milesian culture.

Tomis was actually located in Moesia, an area where Roman colonisation occurred comparatively late, at the end of the first century BC. M. Terentius Varro Lucullus, consul of 73, had entered Moesia in 72 BC, and there is a record of the region being entered by C. Scribonius Curio, proconsul of Macedonia in 67 BC²⁹⁴. But the Greek cities on the Pontic coast rose against the Romans under the command of C. Antonius Hybrida in 62 BC, only to fall under the control of Burebistas, king of the Getae. After his death, probably in 44 BC, his kingdom was dissolved, and the permanent subjugation of Moesia was effected M. Licinius Crassus in 29-28 BC. Expeditions were sent out against the intrusive Sarmatians and Dacians in 28 BC and 10 BC. But the first imperial legate in Moesia is A. Caecina Severus in AD 6 (Dio 55.29.3), to be followed by the governorship of C. Poppaeus Sabinus whose tenureship is uncertain although Tacitus (*Ann.* 1.80.1) mentions that his position is being extended for another year in AD 15. Tacitus also records Sabinus' death in AD 35, stating that he had held provincial governorships for 24 years, which may suggest that he started in Moesia in AD 11 after holding the consulship in AD

²⁹⁴See Williams, G.D., *op. cit.*, 5ff.

9. Thus it was the most recent addition to the Empire when Ovid arrived in AD 9. The raids that Ovid talks about continued for another forty years after his death, until they were checked by Plautius Aelianus in 56.

The Getae living around Tomis and between it and the Danube, though naturally still classified as *barbari* by Ovid, do not appear to have been particularly warlike. It was the attacks of other barbarians upon them that made the country beyond the city wall unsafe. But just who these barbarians were is open to debate as far as Ovid's descriptions of them are concerned. The variety and foreignness of their names would have impressed the Romans with the barbarity of the exile's situation. They include Bastarnae, Bessi, Bistonii, Colchi, Cizyges, Coralli, Iazyges, Odrysii, Sarmatae, Sauromatae, Sidones, Tibarenae, then the names Scythicus and Threicius. Syme seems pleased at Ovid being the first Latin author to mention the Iazyges, but Tacitus, who is the next to mention them, locates the tribe beyond the Carpathians in modern Hungary²⁹⁵. Though Syme argues the case of migration, it is a significant distance and may be more attributable to Ovid's geographic vagueness than genuine movement. The other tribes mentioned all seem to have suffered displacement to a greater or lesser degree and it seems incredible that tribes scattered throughout the vast area of Thrace, Scythia and Moesia should all be congregating around Tomis. In Roman literature, the peoples of west Pontus (Moesia) were usually termed Daci (cf. *Res Gestae* 30.2; Virgil *Georgics* 2.497), but Ovid consistently uses the Greek poetic term *Getae*, which is also found in *Georgics* 4.463 and Horace *Odes* 4.15.21f.. Thus, Ovid exhibits a personal acquaintance with members of every tribe that Augustus has ever claimed to have tamed, showing them still untamed. The danger from marauders commences at *Tristia* 2.196 and continues throughout the following

²⁹⁵Syme, R., *History in Ovid* (Oxford: OUP, 1978), 164ff.

books. This clear contention that the allegedly vanquished Dacians are still wreaking havoc can be taken two ways. Either it demonstrates the direct danger that Ovid finds himself in, or, it is a deliberately ironic device to embarrass the vaunts of the Augustan propaganda machine that total domination has been achieved throughout the empire (*Res Gestae* 30.2; 31.2). Ovid's sources for this large variety of names is itself varied. Herodotus, in the fifth century BC, frequently refers to Scythians, but these lived in an area to the west of Lake Maeotis, which Ptolemy, from the second century AD, calls Sarmatia Europaea. Callimachus has Massagetae as archers living east of the Caspian (*Aetia* 1.1.15) - the suffix of their name and the use of arrows is certainly consistent with Ovid's descriptions. The Caspian area shows some of the characteristics traditionally ascribed to mythical Scythia, in particular the freezing cold.

That the majority of the inhabitants of Tomis were *barbari*, as conventionally classified, is fairly obvious, but there is much room for argument against the view that they were "savages" who lived by "the law of the jungle"²⁹⁶. The latter view, based on the accepted custom of settling differences by the sword in the *agora* of the town, can be easily contested by pointing out that, had the Getes been so savage, they would certainly not have blushed at the idea of turning their weapons on other races who lived in the same place. Ovid would have keenly remarked on this, had it been the case, since it would have served to demonstrate even further the harshness of his exile. The Getes obviously did not concur with the Roman poet's view that the form of *ius* seen on the *agora* was *iniustum*. Indeed, the Getes allowed their differences to be settled by the sword because such a situation had the element of a judicial duel in which the result would be the judgement of their gods.

²⁹⁶Wilkinson, L.P., *op. cit.*, 331

Another motif which is consistently repeated in the exile poems is the barbarians' use of poisoned arrows and the danger to the inhabitants of Tomis from these weapons.

The subject of law enforcement leads to another disputable point in the history of Tomis. Politically, the Greek towns were not subject to Thracian rule, but were placed under the jurisdiction of the Roman governor. Thus, Ovid could be said to be still living under Roman law, yet, as related above, the Getes living within Tomis were granted broad leeway in resolving their own disputes, presumably as long as it did not bring any risk or danger to Roman citizens. Frankel asserts confidently that the enforcement of law would have been very much in doubt, however, because "no Roman official or garrison was stationed in the town"²⁹⁷. There is little evidence to support such a theory, especially since Tomis was later used as a garrison town²⁹⁸, but Wilkinson backs Frankel's view, stating: "Here was no frontier-fort built and garrisoned by the Romans, but an old Milesian colony which had no doubt seen better days." Had an expeditionary force been sent against the marauding tribes as late as AD 6, however, it would seem extremely negligent not to keep a section of some size located either at Tomis or somewhere nearby. If there were a Roman garrison and not infrequent changes of Roman officers, magistrates and staff in the town, Ovid's complaint of not being able to talk to anyone in Latin would be explained away by the consideration that someone under the frown of the emperor would probably have not been acceptable in official or military circles. Alternatively, Tomis was a place no important person was ever likely to visit, or, for that matter, could visit without making it obvious that he was going to see Ovid. Those people who arrive from Rome merely leave Ovid feeling

²⁹⁷Frankel, H., *Ovid: A Poet Between Two Worlds* (Berkeley: University of California Press, 1945), 124.

²⁹⁸Heather, P.J., *Goths and Romans 332-489* (Oxford: OUP, 1991) 153.

indignant when they tell him his stories about the horrors of the winters at Tomis are not believed (*Ex Ponto* 4.10.35). Evans supports the view that Romans would have been at Tomis when he describes Augustus' sentence on Ovid: "The punishment which he imposed was severe - relegation to the farthest corner of the Roman world, to a frontier outpost and garrison town."²⁹⁹ Ovidian scholars interviewed in Romania were also of the opinion that Tomis had been a garrison town containing as many as 1,000 Roman troops.

OVID'S GETIC POEM

Ovid's claims about composing poetry in Getic have come under close scrutiny in recent years. He states (*Ex Ponto* 4.13.19-20) that he has mastered Getic sufficiently to be able to write quantitative elegiac couplets in the language. It is a vaunt that has brought a wide range of reactions from modern scholars. Whereas some emotionally view this supposed ability as one of the fascinating themes in the poems from exile (i.e. the metamorphosis of a Latin poet into a Getic poet and its corollary - the transformation of a lonely Roman exile cut off from his neighbours into a well-loved friend surrounded by his new acquaintances), a more austere view has dismissed the notion out of hand, remarking that, though Ovid did put his exile to good use, he would hardly have gone so far as to experiment with native languages³⁰⁰.

First, there is no surviving evidence of the supposed poem - even though the entire collection of the *Tristia* and *Epistulae Ex Ponto* is extant - which does not make for a particularly convincing case. Then there is the question as to whether Getic was a language which could be accommodated in

²⁹⁹Evans, H.B., *op. cit.*, 3.

³⁰⁰Syme, R., *History In Ovid* (Oxford: OUP, 1978) 73.

Latin metre. The suggestion that Ovid had actually succeeded in gathering about him a lettered audience for a true *recitatio* certainly stretches the imagination, but one that rings a lot truer is that of a perhaps less formal Getic assembly gathered to show loyalty to the new Roman emperor, Tiberius. Ovid's whole scenario may be based on a similar situation in ancient literature - where Themistocles, after his banishment did not lose his fame among the Greeks, but won new fame among the barbarians (Dio 38.26.3). Such direct comparisons have certainly fuelled the school of thought which suggests that Ovid was merely following literary antecedents, rather than creating his own new type of exilic literature. The poem he allegedly composed was on the apotheosis of Augustus and the succession of Tiberius. Ovid categorically states that the Getae showed their noisy approbation by striking their weapons together. This reminds us of the passage in Tacitus' *Germania* (11) where German tribes would assemble on important issues to hear a speech made by a king or chief and then show either *their displeasure by simply murmuring* among themselves or their approval by making a loud noise with their arms. This may be an example of the "transference" that was mentioned in the first chapter.

The mystery over the truth of the Getic poem remains insoluble, but the mere suggestion that Ovid felt compelled to learn the local languages implies his increasing acceptance of his lot and an attempt on his part to acclimatise himself to his location. At the same time, Ovid has stated that he is losing his ability to write Latin properly, but one immediately senses the use of a literary motif to suggest the idea of dislocation and the very thought of Ovid's poems losing their Latinity actually enhances the quality of the poetry from exile³⁰¹. The question of whether or not Ovid wrote a poem in Getic is ultimately of

³⁰¹See Halzle, M., *Publii Ovidii Nasonis Epistularum ex Ponto Liber IV* (Hildesheim: Georg Olms, 1989) 12ff.

secondary importance: the crucial point is that he claims to have done so³⁰². In *Tristia* 2, Ovid states he attempted an epic composition in celebration of the great feats of Augustus, but his poetic powers were not up to the task. It was a stock *recusatio*. The difference here is that he is not saying he was incapable of writing an imperial eulogy, but that he wrote the *laudes* in Getic language set to a Roman metre, so creating a new and unique genre but one which scrupulously observes Roman literary protocol through the necessary application of Horatian canons. Ovid's self-portrayal as *paene poeta Getes* is a dissimulating guise which belies his observance of Roman literary protocol in the construction of his Getic poem, and the claim that his Latin verse is distinguished only by its faults is not only unsupported by evident *vitia* in this or any other exilic elegy, but also belies the Horatian canons which he implements to avoid the cardinal *vitium* of celebrating Augustus in an inappropriate medium. The poem thus becomes a fine example of Ovid's use of dissimulation as far as his pose of poetic decline is concerned and *Ex Ponto* 4.13 proves that Ovid remains firmly in control of the abilities which he claims are destroyed by exile.

DEATH IN EXILE

The hope that remained uppermost in Ovid's mind during his exile in Tomis was the possibility of a change of location in which to serve his sentence. He realised that a recall to Rome was too much to ask, so he waited for a time when the Emperor's anger might soften (*Tristia* 1.19) and he might approach him with his request. He certainly did not remain inactive, however, as he constantly endeavoured to use his numerous friends and associates to perform the *officium amicitiae* to intercede with Augustus. The only gift Ovid can give

³⁰²See William, G.D., *op. cit.*, 92-99.

to a friend is an epistle and he expects the addressee to return the *officium* by acting on his behalf in Rome. This accounts for the characteristic terms of patronage used by poets in patron-client relationships in the poems from exile. One can see a similar *quid pro quo* mentality in Seneca's *Consolatio ad Polybium*.

Ovid's tenacious persistence was admirable and his plight all the more tragic for its failure. He continually hoped for a change in the place of his exile (*Tristia* 1.1.34; 3.5.53ff; *Ex Ponto* 3.7.19), refusing to permit the wife he missed so much to accompany him into exile (*Tristia* 1.2.41; 1.3.81-88) since she was needed at home not only to protect his property and interests, but also to work for his pardon³⁰³. Green suggested in the introduction to his recent translation of the exile poems that when all her efforts had failed she might even have joined Ovid in Tomis and that might have accounted for his gradual acceptance of his location. The pathos of Ovid's situation is increased when, at the moment it would appear that Augustus might be relenting (*Ex Ponto* 4.6.14), that gleam of hope is extinguished with the Emperor's death. In desperation, Ovid appealed, cautiously but vainly, to Tiberius (*Ex Ponto* 2.8.37) and Livia (*Ex Ponto* 2.8.43; 3.1.97), though he knew they were not favourably disposed towards him. In Germanicus, Ovid sought his last bastion of hope, but the fates let him down again.

The exact burial place of Ovid still remains a mystery. An Ovidian scholar at Constantza University explained: "We cannot find a grave which looks like being the grave of the poet. Some experts think that he was actually

³⁰³The dutiful action of the exile's wife in history has remained a neglected field of study. The role fulfilled by Ovid's wife has been echoed throughout the centuries down to modern times. "After Brezhnev accorded Solzhenitsyn the perverse honour of stripping him of his citizenship and bundling him out of the Soviet Union in 1974, his wife [Natalya] stayed behind and risked prison to smuggle out his private archive." (*The Times*, April 7, 1995).

cremated and his ashes were thrown into the Black Sea. Almost all the *sarcophagi* we have found from his time have been empty."³⁰⁴ And the senior lecturer in Ovidian studies at the same university, Cucu Stefan, expressed the view that Ovid had probably been buried beyond the walls of Tomis, which would be in keeping with the tradition of interring foreigners beyond the town. The matter of burial, as mentioned in the first chapter, was one of the fundamental tenets of the Romans. The thought that he might be interred beneath foreign soil was anathema to the mind of the Roman. In his description of life in exile and during all his pleading, Ovid constantly refers to this possibility and does everything in his power to avert it. When he first came to Tomis, Ovid had dreaded the thought of dying far from home, where his wife could not comfort his final moments and perform the last rites for him: *indeploratu, barbara terra teget*. But at length he resigned himself bitterly to the idea: *venimus in Geticos fines: moriamur in illis*. The end came not long after that, either in 17 or early 18.

The feeling among scholars, including even the most sympathetic to his situation, is that Ovid embellished the facts of his exile. Frankel overgenerously states that, though the poet never ceased to select, arrange and adorn the facts he never distorted them³⁰⁵. A thorough analysis of the poetry from exile, however, reveals a large number of inconsistencies and discrepancies within different poems. This in itself might be excusable were the cases isolated or inadvertent, but their cumulative effect, coupled with what we already know of Ovid's use of *dissimulatio* and irony, means we should observe them to see if we can glean a clearer picture of what the poet intended by them.

³⁰⁴A sarcophagus found in Constantza in 1931 was of such an elaborate and beautiful nature that it was thought to be Ovid's. Even when it was established that it was not that of the poet, the stir and publicity it had created caused it to be recognised as a symbol of the tomb which remains undiscovered. See *The Guide to The Museum [sic] of National History and Archaeology* (Constantza, 1982) 110.

³⁰⁵Frankel, H., *Ovid: A Poet Between Two Worlds* (Berkeley and Los Angeles: University of California Press, 1945) 120.

One wonders just how far Ovid's tongue was in his cheek when he stated: *vix equidem credar, sed, cum sint praemia falsi/nulla, ratam debet testis habere fidem* (*Tristia* 3.10.35-36).

One of the most immediate instances, which has been discussed above, is Ovid's description of climatic conditions in Tomis. He presents his readers with an impression of overwhelming cold throughout the poems, so much so that in one poem (*Ex Ponto* 3.1.14) he says that Tomis is frozen all year round. He complains of constant frosts (*Tristia* 3.2.8). He states that the snow lies continuously and once it has fallen neither sun nor rain can melt it because the chill wind hardens it so much that it remains eternal (*Tristia* 3.10.13ff). And what are we to make of the dolphins who normally would have migrated to warmer climes and find they cannot arch out of the water because the sea is frozen (*Tristia* 3.10.43)? Associated with the cold is the poet's own health in exile. He vacillates between complaints of increasing illness to declarations of strength. In one poem he reveals how he has endured the pains of exile thanks to a will hardened by adversity (*Tristia* 3.2.13-14), yet in the very next one he tells his wife he is dictating the work because he is too sick to write.

One of the factors that makes life so hard to bear in Tomis is the profound lack of vegetation, such as vines and trees. But it serves Ovid's purpose to portray the land like this since it was an ancient ethnographical tradition to link the nature of a nation's terrain with the character of its people. In connection with this example of "transference", Ovid has a strangely ambivalent attitude towards the people of Tomis. Unabashed, he quite openly terms them "inhuman", "savage", "crude", "fierce" and "wild", then, in one of the last poems from Tomis, tells his readers that it is not the people he hates, only their land (*Ex Ponto* 4.14.29). Also in this poem he makes the point that he has been granted a special honour by being exempted from paying the taxes

in Tomis (*Ex Ponto* 4.14.51-54), yet, as a Roman still in possession of his civil rights, he would not have had to pay them in any case because, technically, he still belonged to another country.

As well as the mystery about the person to whom he dictates his "deathbed" poem (*Tristia* 3.3), there is his mention in the same elegy that *quin etiam sic me dicunt aliena locutum, ut foret amenti nomen in ore tuum*. Who are these people who heard Ovid's feverished words and, if there is no one with whom he can converse in Latin, how did they know what he was saying or that he was addressing his wife in his state of delirium? Surely they are not the same people of whom Ovid complains: *nulla mihi cum gente fera commercia linguae* (*Tristia* 3.11.9).

Ovid never mentions or alludes to other contemporary exiles throughout his books from Tomis. Though there are distinct parallels between Cicero's letters from exiles and Ovid's writing, the poet never once mentions the famous Republican's banishment. This concurs with the view expressed in the opening chapter that people did not mention other exiles. Or is it that the mere mention of exiles would have been offensive to Augustus? The political climate had changed so much since the Republic that the senate, though *in titulo* responsible for the banishment of citizens, was no longer fully accountable. That responsibility, though supposedly shrouded by a Republican facade, lay with Augustus. How then could Ovid invoke the name of Cicero, the politician who represented *libertas* and the *res publica*, when it was Augustus himself who had arranged his death through the Triumviral proscriptions? Such a comparison would have been counter-productive. It was better to stick to mythical *exempla* and hope that his audience in Rome would pick up on his feelings through allusion. But then what of Ovid neglecting to mention anyone with whom he has any regular contact in Tomis? He spends

eight years in one place of exile, afraid to step beyond the town gates, yet, even discounting his aversion to the locals, he neglects to mention a single one by their name. Perhaps the answer lies in the thought that, if we were to consider the fate of previous exiles or if we could claim to have some acquaintance with the people whom Ovid knows in Tomis, our perception of him as the ultimate figure of pathos who has suffered a soul-destroying sentence would be greatly diminished.

THE VOICE OF EXILE

Ovid's exile is one of the most poignant situations in Roman literary history, but there are two reasons why it owes its impact entirely to the victim himself - first, because he wrote so much poetry about it and, second, the way in which he created his verses. The silent voice of protest was certainly not Ovid's way of doing things³⁰⁶. In the course of his eight years at Tomis, Ovid produced the five books of the *Tristia*, the four books of the *Epistulae Ex Ponto*, the *Ibis*, and possibly other works which were never published, in addition to the private letters he would have sent to his family and friends. Ovid's output was in keeping with the ancient consolatory tradition where the exiled or bereaved could seek sublimation in literary studies. The sort of studies in which Ovid could show his proficiency lay in alluding to the traditions of his Roman poetic predecessors, such as Catullus, Horace and Virgil. But is it in the poetry where the truth about his exile lies?

Kenney remarks that the decision to embark on, and the will to persist with, such a literary campaign argue a degree of courage and principle in Ovid for which his critics have until recently been reluctant to give him due credit.

³⁰⁶See Nagle, *op. cit.*, 171, on the possibility that he may have stopped writing as a possible form of protest.

The difference between Ovid in exile and Cicero and Seneca is enormous. Cicero wrote nothing intended for publication from exile. All we have are the 27 letters to Atticus - several just hastily scribbled notes - and a few others to his family. Seneca, who spent the same number of years to Ovid in exile, merely produces two *consolationes* in contrived form.

Ovid, thus, becomes the sole voice of exile which articulates the full debilitating effect of a punishment no longer inflicted by a democratically elected body, but by one all-powerful person's decree. Cicero made no attempt to analyse his feelings in a considered fashion while in exile and Ovid would have borne that fact in mind when he himself suffered *relegatio* to Tomis. Ovid deliberately set out to convey a whole new kind of personal poetry containing such vivid expression of his misery and the monotony of exile that can make the poems - except in small doses taken objectively and analytically - seem unappealing and often even repellent, yet older scholars, such as Gibbon, indicated that the poetry should not be rejected for that reason, but ought to be accepted as striking an authentic note³⁰⁷. Gibbon believed that the exilic poems have "beside the merit of elegance, a double value. They exhibit a picture of the human mind under very singular circumstances; and they contain many curious observations, which no Roman, except Ovid, could have the opportunity of making". Modern research into the latter statement tends to prove Gibbon right, though perhaps not in the way he intended.

There is much about the poems from exile that suggests Ovid was more concerned with the pure poetry, or poetics, of his works than with an accurate portrayal of the reality of banishment. Modern scholars are treading more warily now than any classicists have done before because of the recent insights

³⁰⁷See Block, E., *op. cit.*, 18ff and Gibbon, E., *The History of the Decline and Fall of the Roman Empire Vol. I* (London: Penguin, 1995 ed.), 656 n.40.

into the unreal aspects of Ovid's poems and the many elaborate methods he uses to disguise his poetic skills, which, in turn, lead to a range of interpretations of the text. Jo-Marie Claassen writes of three types of Ovid - "*Ovidius exul*, [who] is not a disgraced Roman living in a Greek city on the edge of empire...*Ovidius heros*, a mythical hero, a denizen of poetic Pontus, a Tityon or Prometheus pinned down in a vast triangle marked by the Bosphorus in the south, the Tanais in the north, and Maeotis in the east...and *Ovidius poeta*, who has by means of his geography universalised exile, and given voice to the sighs of all the exiled victims of Augustan despotism."³⁰⁸

It is this last consideration which is of paramount importance to this study. What Ovid does more than anything in his poetry from exile is to portray the misery and utter sadness of banishment and the longing for a return home. It is the sense of exile, the condition of exile, rather than the stark reality of everyday existence that he expounds in his long-underrated poetry about Tomis. He persistently pleads for a change of location, for a show of Augustus' famed *clementia*. Whatever Ovid wrote throughout his career, it always had a sense of purpose, even if it was merely intended to entertain. So why should he write about exile? The fact that Ovid spent the length of time he did - eight years - creating the exilic poetry is one of the most reliable indications we have that his banishment was genuine. Ovid's wry wit would certainly have tired of sustaining such a facade for so long, had he merely toyed with the subject while remaining in Rome. There is also the consideration that Augustus would almost certainly not have taken kindly to the greatest living Roman poet toying with the notion of being exiled when many prominent members of society, including members of his own family, were in reality facing exactly that type of punishment. By the time of the composition of the *Tristia* and *Epistulae Ex*

³⁰⁸Claassen, J-M., *op. cit.*, 88.

Ponto, Ovid's poetic virtuosity and versatility would probably have ensured that he would have moved on to another subject had he genuinely remained in Rome. His *ingenium* and his lively wit, even in his advanced years, would have sought new pastures - perhaps even after he had completed the *Tristia*, without moving on to the *Epistulae Ex Ponto*. If his voice, which was used to articulate the hedonistic atmosphere that might have caused his downfall, reflected the *zeitgeist* of those pre-exilic days, why should his exposition of banishment not serve a similar function albeit in a totally different setting?

CONCLUSION

Whatever the exact truth about Ovid's *relegatio*, his testimony about it has not only provided a telling document of life in exile during the Augustan period, but it has also become the literary inspiration to instil resilience and artistic creativity in those who have found themselves in similar situations centuries later. Seneca is the most renowned Roman known to have found solace in the poetry less than a quarter of a century after Ovid died, when he was exiled to the island of Corsica. But Ovid's exilic works also comforted and influenced many literary characters for the next 2,000 years, from Shakespeare's sympathetic mention of him to the depressed letters of Macaulay voluntarily acting in a colonial capacity in the heat of India to the freezing conditions endured by Pushkin in the Crimea; and from Dante writing his own masterpiece in exclusion from his beloved Florence to Karl Marx writing his political *magnum opus* in England. All of them read Ovid's account of life next to the Pontus and empathised with his view of the tormented writer in exile. The latter-day Getae, the Romanians, eagerly adopted Ovid as their own poetic son, with Vasile Alecsandri creating the tragedy *Ovide* for the Bucharest National Theatre in 1885, in which the romance of Ovid and the Younger Julia leads to their banishment. There was even an Ovid symphony composed by S. Toduta

and, of course, the magnificent statue of Ovid, which stands in Ovid Square, in Constantza, designed by the Italian sculptor Ettore Ferrari and unveiled in August 1887. As surely as that statue in what is modern-day Tomis stands imposingly over any sympathetic passer-by who looks up to Ovid, the poet's works from exile have gradually soared ever more loftily above adverse criticism.

EXILE UNDER TIBERIUS AND THE LATER JULIO-CLAUDIANS

*praeterea nullo colitur sola insula tecto,
nec patet egressus pelagi cingentibus undis.
nulla fugae ratio, nulla spes: omnia muta,
omnia sunt deserta, ostentant omnia letum.*

Catullus, 64. 203-206

It was easy and expedient for subsequent emperors to follow the lead taken by Augustus in successfully using the sentence of non-voluntary exile to eliminate the threat of rivals to the imperial throne, as well as using it to deal with other potential troublemakers. However, as a study of any totalitarian regime reveals, the more frequently a weapon is used to maintain dictatorial power, the more it becomes open to abuse, misuse and overuse. Augustus certainly made the sentence of exile harsher, but, as far as we can gauge from the primary sources, he seems to have refrained from using exile in conjunction with the death sentence on the banished members of his own family were concerned: *ceterum in nullius umquam suorum necem duravit* (*Ann.* 1. 6). This was to change under succeeding emperors, the first sinister example being seen in the way Agrippa Postumus, Sempronius Gracchus and Julia all die "coincidentally" during the year 14 when Tiberius accedes to the throne.

While the succeeding emperors' implementation of exile is fundamental to this chapter, it is important to avoid analysing later cases of banishment merely from the point of view of the emperor in the role of exiler. It is just as important to evaluate the condition of the exiled person, not merely in the sense of the source's narrative, but in terms of the

psychological effect that banishment would have had. The effects of post-Augustan legislation should also be considered. With this in mind, it serves to concentrate on particular aspects of exile, including geographical locations, the increase in *maiestas* cases, the introduction and effects of the new sentence of *deportatio*, the growing senatorial opposition, and the apparent radical change in attitude towards the sentence of exile, particularly by the Neronian philosophers.

The emperors after Tiberius did not bring in any worse legislation in terms of exile than *deportatio* - it would not have been possible to make the sentence much worse without inflicting serious physical harm as part of the punishment. The increased detrimental effect lay, instead, in the way that they arbitrarily passed sentence on individuals whom they loathed or feared. They occasionally made references to the rule of law - citing *maiestas* as the reason for a person's death or exile - but it had been replaced by the will of the *princeps*.

MAIESTAS TRIALS

The crime of *maiestas* was to remain largely undefined, a grey area of such breadth and arbitrariness that it could be manipulated by despotic leaders and extended to activities that ranged from open revolt to secret dreams at night. During the Republic, the *crimen maiestatis* had been used to penalize crimes of official maladministration, such as sedition or betrayal of an army, so that, in the words of Tacitus, *facta arguebantur, dicta inpune erant* (*Ann.* 1.72). But the principate saw charges of *maiestas* being construed from spoken or written words or even in gestures³⁰⁹. The

³⁰⁹Seager, R., *Tiberius* (London: Eyre Methuen, 1972) 151, makes the point that the vagueness of the concept of *maiestas* had made the law a two-edged weapon and more popular tribunes were prosecuted

emperor's whim decided the case and the punishment was no longer merely one of loss of status or financial ruin, but exile or death. This is no more apparent than in Claudius' reign which initially presented a semblance of Augustan constitutionalism, with respect towards the senate and magistrates, and an official abolition of the *maiestas* charges. However, it ended with the emperor conducting treason trials within his own *domus* and then condemning the accused after having consulted only his unofficial associates³¹⁰.

Tiberius is said to have brought back the penalty of *maiestas* in 15³¹¹. Public *quaestiones de maiestate* ceased to function around the same time and charges of treason were subsequently heard in the senate or by the emperor. Under Sulla's law the penalty for *maiestas* was officially death, but the condemned person was always given the chance to escape execution by going into exile and then had the *aquae et ignis interdictio* passed on him³¹². The opportunity to escape summary punishment arose either before or after the sentence was passed. If one compares that situation with the later process under Tiberius, one can appreciate how significant the repercussions would have been for the members of Roman society. The *aquae et ignis interdictio* for *maiestas* soon disappeared, exile was made harsher in the form of *deportatio*, and summary executions did occur. Indeed, Tacitus informs us that the frequency of defendants committing suicide before the completion of their hearing increases (*Ann.* 6.29; 15.58). Suicide might have been interpreted as an admission of guilt, but it would also save three-quarters of a man's property and his good

for sedition than generals for failure in the field.

³¹⁰Brunt, P.A., "Did Emperors Ever Suspend the Law of *Maiestas*?", *Sodalitas: Scritti in onore di Antonio Guarino*, *Bibl. Labeo* 8 (1984) *passim*.

³¹¹The last known treason trial under Augustus took place in AD 12 (Dio 56.27.1).

³¹²See Crook, J.A., Lintott, A., Rawson, E. ed., *The Cambridge Ancient History Vol IX: The Last Age of the Roman Republic*, 146-43BC, 518ff, for a wider explanation of *maiestas* during the late Republic.

name, as well as giving him the chance to be buried in his native soil, which is something that could not have been done if he went into exile³¹³.

The arbitrary nature of Tiberius' use of *maiestas* charges can be seen in an example from Tacitus where Considius Proculus was arrested on his birthday on a charge of treason, immediately condemned and executed. However, his sister Sancia, who was evidently charged with the same offence, was exiled: *Sorori eius Sanciae aqua atque igni interdictum accusante Q. Pomponio* (Ann. 6.18.2). Familial connections also brought about the exile of Pompeia Macrina in the same year: *Etiam in Pompeiam Macrinam exilium statuitur* (Ann. 6.18.4). The alleged charge against Pompeia was that her great-grandfather, Theophanes of Mytilene, had been a close friend of Pompey and had been deified after his death. They were bizarre grounds for prosecution, but even more remarkable is that Theophanes' son had been a governor of Asia under Augustus and a close friend of Tiberius. It is clear that Tiberius was inclined to strike more and more at those whom he had once trusted. This, in turn, made the emperor's isolation even greater³¹⁴. One may also include the case of Antistius Vetus, who was originally charged with adultery and acquitted by an ordinary standing court in 21. However, Tiberius attacked the jury and instituted a prosecution for *maiestas* on the grounds that Antistius was a troublemaker and had been implicated in the plans of Rhescuporis after the murder of Cotys. Antistius was condemned to exile and was instructed that his place of detention should be an island well removed from the coasts of Thrace and Macedonia: *Igitur aqua et igni interdictum reo adpositumque ut teneretur insula neque Macedoniae neque Thaeciae opportuna* (Ann.

³¹³See Chilton, C.W., "The Roman Law of Treason under the Early Principate," *Journal of Roman Studies* 45 (1954) 73-81.

³¹⁴See Seager, *op. cit.*, 232.

3.38.4). Tiberius clearly hoped to see Antistius condemned on the original charge of adultery, but when this failed he had to dispose of him by revealing his treasonable activities. Nero was also to make widespread use of *maiestas* to dispose of his enemies in the aftermath of the Pisonian conspiracy of 65. In a series of treason trials, the victims were directly linked by imperial allegation to the recently suppressed plot, and the resulting atmosphere of fear and danger was exploited by the government to justify and perpetuate the terror in the name of suppressing further subversion³¹⁵. Indeed, one scholar has found little difference between the Neronian trials in the Pisonian conspiracy and the Roehm trials under Hitler or the Russian purge of 1937-1938³¹⁶.

There are numerous *exempla* of persons being exiled for making the mistake of writing or speaking too freely in connection with the increased severity of the *crimen maiestatis*. The writer or orator had to be constantly on his guard and aware that his discourse could be subjected at any point to *interpretatio prava*, which could lead to an accusation of *animus nocendi*³¹⁷. If such an interpretation of what was essentially a harmless piece of work were made by someone in a position of power, the allegation was that the author had behaved in such a way that he should be made defendant to a charge of *maiestas* - or, in some cases, summarily dealt with on the spot. Such instances include Tiberius' banishment of Xeno³¹⁸. Caligula also demonstrated how easily he could take offence through *intepretatio prava* when, in 39, he exiled the rhetorician Carrinas Secundus

³¹⁵The principal victims included Thrasea Paetus, Helvidius Priscus, Paconius Agrippinus and Curtius Montanus, who were all indicted on the charge of *maiestas*, yet at no point was any attempt made to implicate them in a plot against the government and no common charge was brought against the four men on trial, which refutes any suspicion of a possible conspiracy.

³¹⁶Starr, C.G., *Civilization and the Caesars* (New York: W.W. Norton & Company, 1965), 161.

³¹⁷See Rudich, V., *Political Dissidence Under Nero: The Price of Dissimulation* (London: Routledge, 1993) xxxi-xxxiii.

³¹⁸Discussed below.

for delivering a speech, by way of an exercise, declaiming against tyrants. Caligula obviously took it as an attack against himself and so had Carrinas exiled, although Dio (59.20.6) neglects to mention exactly where³¹⁹. It has been suggested that the fate of Carrinas illustrates the dramatic change of attitude towards censorship and freedom of publication, as well as the beginning of the difficulties between the emperor and philosophers. Nero was just as quick to react to adverse comment. He banished L. Annaeus Cornutus, a Stoic rhetorician, for his comments on the emperor's plan to write an epic narrating all the achievements of the Romans. Nero had decided to consult Annaeus Cornutus, who was an intimate friend and teacher of Persius and Lucan, on the proper number of books it should have taken for him to complete the epic task. Sycophants were urging Nero to write four hundred books, but Cornutus said that that was far too many and nobody would read them. Then someone objected: "Yet Chrysippus, whom you praise and imitate, composed many more." To which Cornutus retorted: "But they are a help to the conduct of men's lives." This comment brought about Cornutus' *deportatio* to an island. But he was far from alone, since Nero also exiled, among others, a Cynic philosopher for speaking too freely and an actor who had taunted him in public. Such examples indicate not only an *interpretatio prava*, but a diminution in the freedom of speech. They clearly show that words, as well as deeds, were now being punished.

³¹⁹Barrett, A.A., *Caligula: The Corruption of Power* (London: B.T. Batsford, 1989) 99, surmises that Carrinas Secundus chose Athens for his place of exile and committed suicide there later, but he has deduced this from a passage in Juvenal 7.203-206, which states: *paenituit multos vanae sterilisque cathedrae, sicut Thrasimachi probat exitus atque Secundi/Carrinatis; et hunc inopam vidistis, Athenae, nil praeter gelidas ausae conferre cicutas*. In the note to his translation of Juvenal, Green, P., *op. cit.*, 174, states that something has fallen out of the text after line 205 and suggests that the man to whom Athens gave nothing but a cup of cold hemlock must have been Socrates. Ramsay, G.G. tr. *Juvenal and Persius* (London: Heinemann Loeb Classical Library, 1918) 154, is of the same opinion, but casts some doubt by adding that "*illum* would have been more appropriate than *hunc*" in the lines mentioned.

The penalties of the Republic had disappeared for good and the range of punishments that the later emperors could employ began with the death penalty, which was now prescribed by the law. The senate, which in Cicero's time had not demurred from allowing an accused person to go into voluntary exile, developed a scale of penalties, which included, in descending order of severity, *deportatio* to an island with loss of civic rights, *aquae et ignis interdictio*, *relegatio* without loss of civic rights, whether to a specified place or beyond a certain distance from Rome (though mainland banishment occurs much less often as the dynasty continues), and *infamia*³²⁰.

DECREASE IN MAINLAND EXILE

It is clear that mainland places of exile, which had been plentiful and much used in the late Republic, were gradually replaced by banishment to an island. The *Digest* shows that a governor could exile a person from his province, but not necessarily assign the individual to an island unless it was geographically part of the province he administered. He was also unable to relegate a person to a province which was not under him; for example, the governor of Syria would not have been able to relegate someone to Macedonia. Later legislation, which echoes measures introduced by Claudius, allowed a governor to relegate someone to a particular area of the province - normally the more deserted parts - although this type of measure only seems to have taken hold after the Julio-Claudian Dynasty. The governor could always pronounce that he was relegating someone to an island and write to the emperor so that he might assign the island. The governor of Egypt was able to relegate a condemned man to the Great

³²⁰See Levick, B., *Tiberius the Politician* (London: Thames & Hudson, 1976) 188.

Oasis, which, given the topography of the land, represented island exile. There is no account of such a form of exile occurring during the Julio-Claudian Dynasty and it would have been something of an anomaly since the majority of people exiled were generally of senatorial rank and that type of person was not permitted to reside in Egypt. Thus, the comfortable mainland exile of someone such as Milo to somewhere like Massilia during the Republic would have become rare. There are some examples of mainland exile occurring during the Julio-Claudian Dynasty, but they are very few. Their rarity is indicative of the infliction of more severe penalties intended to limit the movement of those convicted.

Early in his principate, Tiberius appears to have shown noticeable moderation in the mainland exile of Appuleia Varilla. He allowed her to be punished not by the court, but by her family, in 17, under the traditional form of *coercitio*, which resulted in her banishment 200 miles from Rome. A charge of *maiestas* had been urged as a pendant for another charge of adultery against Varilla. She was acquitted on the *maiestas* charge, but condemned for adultery. Ordinarily, following the *lex Iulia de adulteriis coercendis*, Varilla should have lost half her dowry, one-third of her property and should have been relegated to an island, yet her punishment appears to have been no more severe than that suffered by Lamia during the time of Cicero's exile. Varilla's lover, Manlius, also should have lost half his property and should have been relegated to a different island, but Tiberius acted in a similarly lenient fashion towards him and he was merely banished from residing in Italy or Africa. Tiberius' attitude in this case is in marked contrast to his later strict application of the letter of the law, particularly after the proliferation of the *maiestas* trials and the sentence of *deportatio* had been introduced. His motive for leniency was probably political in that Varilla was a woman of high birth and presented no threat

to Tiberius' power³²¹. The emperor was sufficiently circumspect to avoid inflicting a harsh sentence at the beginning of his reign and this case shows him trying to foster an image which combines *moderatio* with the much vaunted *clementia* of Augustus, although Tacitus is said to have treated all Tiberius' attempts at moderation with scepticism and cynicism³²². Two other examples of people being exiled in the sense of expulsion from Rome but no farther during the reign of Tiberius are those of Abudius Ruso and the mother of Sextus Papinius³²³.

There are no examples of mainland exile in the accounts of Caligula's reign, although island exile is mentioned. Claudius, however, ushered in new legislation which affected mainland exile. Suetonius (*Claud.* 23) states that, among other laws imposed by the emperor, there was one which ensured that those who had been banished from one of the provinces by its magistrates should also be denied access to Rome and the other parts of Italy. Ulpian substantiates this view when he states: *si cui plane non patria sua, sed aliqua civitate interdictum sit, videndum est, an etiam patria sua itemque urbe interdictum dicamus. et ita multis constitutionibus cavetur* (*Digest* 48.22.17). Claudius also introduced a new form of *relegatio* whereby the convicted person was prevented from going three

³²¹Seager, R., *op. cit.*, 155.

³²²See Mellor R., *op. cit.*, 43.

³²³In 34, the former aedile Abudius Rufus threatened to bring a prosecution against Gnaeus Cornelius Lentulus Gaetulicus, under whom he had commanded a legion. Ruso's intended charge was that Gaetulicus had destined his daughter's hand in marriage to a son of Seianus. The plan backfired and Ruso himself ended up being condemned. He was exiled from Rome, though the place is not specified (*Ann.* 6.30). The second case occurred in 37. Sextus Papinius had been a member of a consular family, but he chose to commit suicide because his mother had forced him into an incestuous relationship with her. She was arraigned in the senate and sentence was passed that she should be banished from the capital for ten years until her younger son had grown up. This case clearly represents a sentence of *relegatio*, but, as with Appuleia Varilla and her lover, the actual penalty indicates a certain amount of *clementia* in that the usual penalty for *incestum*, as for *stuprum* generally, was *relegatio* to an island. See Gardner, J.F., *Women in Roman Law and Society* (London: Routledge, 1986) 127. There is no clear reason why Papinius' mother was merely banished from the city for ten years rather than suffering a heavier penalty. The lenient sentence may have been passed because of the anomalous nature of the crime.

miles beyond Rome: *ipse quodam novo exemplo relegavit, ut ultra lapidem tertium vetaret egredi ab urbe* (Claud. 23). This measure, though containing the verb *relegare*, seems to have been a complete reversal of the *aquae et ignis interdictio*, with the victim being unable to go anywhere but within the precincts of Rome. If, in modern times, we can say that a person is under "house arrest", this would appear to be a case of being under "city arrest". The restrictive nature of this punishment naturally meant that the emperor was able to keep an even closer watch on anyone he considered subversive. It is a form of punishment that has been used throughout the centuries right down to modern times when political offenders have suffered similar internal exile, such as Deng Xiaoping during the Cultural Revolution under Mao Zedong³²⁴. Claudius' use of this punishment is particularly worthy of attention, since Callistratus states specifically: *Relegatus morari non potest Romae, etsi id sententia comprehensum non est, quia communis patria est: neque in ea civitate, in qua moratur princeps vel per quam transit, iis enim solis permissum est principem intueri, qui Romam ingredi possunt, quia princeps pater patriae est* (Digest 48.22.18). Claudius, however, had a much more unusual attitude towards exiles than his predecessors. This is evident from the triumph held in Rome to celebrate his victory over Britain in 44, when he invited a large number of those, who had previously been banished, back to the city to witness the celebrations, though, significantly, Seneca was one exile who had petitioned Claudius' freedman Polybius to be allowed to join the throng, but was denied permission to do so³²⁵.

³²⁴Deng Xiaoping was formally "purged", along with Liu Shaoqi, at the Twelfth Plenum of the Eighth Party Congress of 1969. See Li, Dr Z., tr. Hung-Chao, T., *The Private Life of Chairman Mao* (London: Chatto & Windus, 1994) 183.

³²⁵Weinstock, S., *Divus Julius* (Oxford: OUP, 1971) 204, remarks that "the exiles were not allowed to show themselves in his presence, just as a banished son was not allowed to return to the house of his father".

By Nero's reign, there are just a handful of examples of mainland exile and the most important of them were murdered while in banishment. The growing opposition to the imperial regime induced an almost paranoiac attitude in the emperor towards anyone with a claim to the principate. Such "claimants" who were exiled included Faustus Cornelius Sulla Felix, who, in 58, was the victim of a trumped-up charge brought by a freedman³²⁶, and the banishment of Rubellius Plautus, who was warned to retire to his family estate in order to show his concern for peace in Rome and place himself beyond defamatory rumours. Sulla's only "crime" seems to be that he had come from a distinguished family - he was a son of Domitia Lepida, the aunt of Nero - and he had become the son-in-law of Claudius through his marriage to Antonia. In spite of his innocence as far as the charge was concerned, Sulla was condemned to exile in Massilia, where he remained until another allegation - again probably false - was made against him in 62. This time, Ofonius Tigellinus suggested to Nero that Sulla might be seeking the support of the Rhine legions in an uprising against the *princeps*. Since such a scenario represented the emperor's worst fear, it comes as little surprise, particularly bearing in mind the worsening situation for exiles during the dynasty, that the order for Sulla's execution followed. Rumours of rebellion at the time must have been rife and Nero would have been aware of the danger from large dissentient forces. Rubellius Plautus, who was as closely related to Augustus as Nero, suffered a similar fate to Sulla, after Tigellinus had suggested to the emperor that Plautus might be behind possible uprisings in Asia: *Validiorque in dies Tigellinus et malas artis, quibus solis pollebat, graviores ratus, si principem societate scelerum obstringeret, metus eius rimatur; conpertoque Plautum et Sullam maxime timeri, Plautum in*

³²⁶The freedman Graptus alleged that Sulla had set a trap for Nero near the Mulvian Bridge.

Asiam, Sullam in Galliam Narbonensem nuper amotos, nobilitatem eorum et propinquos huic Orientis, illi Germaniae exercitus commemorat (Ann. 14.57). Once again owing to the victim's lineage, the outcome was inevitable - death in exile. Both killings are regarded as the first political murders of Nero's reign, except for the alleged poisoning of Silanus and Britannicus seven years earlier³²⁷. Another mainland exile from around the same time is Helvidius Priscus, who was banished from Italy by Nero and spent his exile at Apollonia, the university town in Illyria (Scholiast on Juvenal 5.36).

The paucity of cases which involve mainland exile correlates with the general notion that banishment becomes harsher during the Julio-Claudian Dynasty. Augustus can be considered as the leading force in the introduction of island exile through his inclusion of *relegatio* within the *lex Iulia de adulteriis coercendis*. His measure ensured that *relegatio* was no longer merely a measure of *coercitio*, but a penalty in the criminal court³²⁸. His later regulations of AD 12 also contributed to a worsening of the punishment. But exile was to become an even harsher legal punishment under Tiberius.

³²⁷See McAlindon D., "Senatorial Opposition to Claudius and Nero", *American Journal of Philology* 77 (1956) 125.

³²⁸Garnsey, P., *Social Status and Legal Privilege in the Roman Empire* (Oxford: OUP, 1970) 115ff.

INTRODUCTION OF DEPORTATIO

When he came to power, Tiberius followed Augustus' lead and used the threat of the sentence of exile to deal with the licentious behaviour which continued during his own reign. Suetonius records: *feminae famosae ut ad evitandas legum poenas iure ac dignitate matronali exsolverentur, lenocinium profiteri coeperant, et ex iuventute utriusque ordinis profligatissimus quisque, quominus in opera scaenae harenaque edenda senatus consulto teneretur, famosi iudicii notam sponte subibant; eos easque omnes, ne quod refugium in tali fraude cuiquam esset, exsilio adfeci* (Tib. 35). Tacitus dates the action to the year 19 when the Senate passed new resolutions on female profligacy, stating that no woman should trade in her body if her father, grandfather, or husband had been a Roman knight. It shows a toughening of the measures Augustus had introduced and represents an attempt to ban the higher members of society from taking up disreputable occupations which would allow them to evade the penalties placed by the legislation on their sexual activities. As Augustus would have discovered, the propagandist nature of such legislation would probably have outweighed the results, since such measures could not have been enforceable. They tend to highlight more of a control mentality on the part of the emperors and, as with the penalties for adultery, they could also be used to dispense with those who might have posed a threat to the regime.

An example of Tiberius' legislation is the case of Vistilia, the wife of Titidius Labeo and daughter of a praetorian family, who had advertised her availability as a prostitute on the aediles' list in AD 19 in order to escape from the usual penalties for adultery (*Ann.* 2.85). When her husband, a former governor of Gallia Narbonensis, was asked why he had not invoked

the penalty of the law upon his wife, he replied that the sixty-day limit in which deliberation was allowed was not yet up. The senate, nevertheless, decided to pass sentence and Vistilia was exiled to the island of Seriphos, the barren island situated in the Aegean³²⁹.

The strictures on exiles were significantly increased a few years later when Tiberius ushered in landmark legislation in 23. He introduced *deportatio* as a penalty, a punishment which radically altered the form of exile to an island and could only be administered by the emperor or the *praefectus urbanus* (*Digest* 48.19.2; 48.22.6 and 14)³³⁰. It has been suggested that Augustus formally introduced *deportatio* into the Roman law, but it is not until the time of Tiberius that the punishment truly took hold³³¹. Dio (57.22.3) states: "Tiberius denied to those who were interdicted from fire and water the right to make a will, and this regulation still holds good." This marked a huge change since the capacity to make a Roman will had been the most tangible test of Roman citizenship. The move indicated a much greater sharpening of the penalty of *aquae et ignis interdictio*, though it has been contended that *deportatio* as a technical term did not seem to have made headway until the early second century and that the Trajanic and early Hadrianic writers were surprisingly ignorant of it³³². Such a view has been justifiably refuted and Dio is credited with having indicated 23 as "the beginning of one of the essential characteristics of penal practice in the Empire"³³³.

³²⁹One of the Cyclades lying between Cythnos and Siphnos. The island is almost always mentioned with contempt by the ancient historians on account of its poverty and insignificance. See Appendix B for more details. The decision to send Vistilia to Seriphos was in accordance with Augustus' ruling of AD 12 - that the island should in most cases have been at least fifty miles' sailing distance from the mainland.

³³⁰It was also possible later for provincial governors to send the name of whomsoever they deemed fit to be deported in writing to the emperor so that the individual might be dealt with.

³³¹See Gardner J.F., *op. cit.*, 37, and Buckland, W.W., *op. cit.*, 97.

³³²Garnsey P., *op. cit.*, 113.

³³³See Jolowicz, H.F., *op. cit.*, 412ff, and Millar, F., *The Emperor in the Roman World* (London:

Tiberius had been provided with an example in the proscriptions of Sulla and the Triumvirate. They had entailed the prompt execution of anyone deemed an outlaw, and so prevented the exit into the sanctuary of exile, thus making the *poena capitis* effectively one of death. However, this went totally against the grain of Roman juridical practice, where the possibility of escape from execution had always existed. Augustus had been part of the triumvirate which had flouted such considerations and occasionally allowed persons to be executed. But, when the emperor's propaganda machine had effectively altered society's perception of him as the ruthless Octavianus to the revered Augustus, that attitude had correspondingly changed. Tiberius, characteristically following his predecessor, did not go so far as to take away life itself. Instead, he took away the means of escape available to the convict and simultaneously created a new and much less agreeable form of exile.

The measure of *deportatio*, which entailed confinement to a designated island, is thus seen to supersede the possibility of wide-ranging flight under the sentence of *aquae et ignis interdictio*. It was no longer possible for the condemned man *solum vertere* to a comfortable, civilized place of exile such as Massilia, where he could shuffle off his Roman citizenship in exchange for a fresh one and make a will under the laws of his new home. If a man were to make a will, it would have to be as a Roman citizen, but by denying the exile that right, Tiberius was destroying the impossibility which Cicero had alleged during the Republic - that of depriving any Roman against his will of citizenship or liberty (*pro Caecina* 100). In other words, the *interdictus* who had saved himself by *exilium*

Duckworth, 1977) 167.

had, down to the time of Tiberius, the right to make a will, not as a Roman, but as a foreigner - the citizen of some particular state of which he had become a member - but he was deprived of this by the action of Tiberius. Once a man of rank had been deported to an island with no tie of citizenship to Rome, but the retention technically of *libertas*, he was reduced to the status of *peregrinus dediticius*. Mommsen described such people as "primarily members of nations which had submitted to Rome, but had, as yet, no constitution conferred on them, and those who by reason of treachery or other discreditable dealings were permanently placed in the position". Marcian propounds the same view: *Item quidam sunt sine civitate: ut sunt in opus publicum perpetuo dati et in insulam deportati, ut ea quidem, quae iuris civilis sunt, non habeant, quae vero iuris gentium sunt, habeant* (*Digest* 48.19.17). Such rights under the *ius gentium* included the buying, selling and renting of certain items. We know, for instance, that Avillius Flaccus, the prefect of Egypt who was deported to the island of Andros in 39, bought a small farm on his place of exile (Philo, *In Flaccum* 168). However, any property the exile might acquire during his banishment simply reverted to the state (*Digest* 32.1.2; 48.20.7). Such an exile was not permitted to manumit slaves and he was not even allowed to wear the toga in his place of banishment because that would have meant he still retained his Roman citizenship (Pliny. *Ep.* 4.11.3)³³⁴. The situation represents the antithesis of the view of exile as a "quiet, comfortable existence in a pleasant spot"³³⁵. The only consolation the *deportatus* could rely on, bearing in mind that he was deprived of his *patria potestas*, was that his marriage was not dissolved (*Digest* 24.1.13; 48.20.5; *Codex of Justinian* 5.17.1; 16.24.2).

³³⁴See Garnsey, P. and Saller, R., *The Roman Empire* (London: Duckworth, 1987) 116-117.

³³⁵Talbert, R.J.A., *The Senate of Imperial Rome* (Princeton: Princeton University Press, 1984) 28

The main reason for the introduction of *deportatio* was to prevent the freedom of movement that the *aquae et ignis interdictio* had allowed. The limits on the movement of exiles that Augustus had introduced in AD 12 may well have failed because they were awkward to enforce and the exiles were once again straying beyond their designated locations. Marcian gives a summary indicating how the harsher measures affected those in exile: *Relegati sive in insulam deportati debent locis interdictis abstinere. et hoc iure utimur, ut relegatus interdictis locis non excedat: alioquin in tempus quidem relegato perpetuum exilium, in perpetuum relegato insulae relegationis, in insulam relegato deportationis, in insulam deportato poena capitis adrogatur. et hae ita, sive quis non excesserit it exilium intra tempus intra quod debuit, sive etiam alias exilio non obtemperaverit: nam contumacia eius cumulat poenam. et nemo potest commeatum remeatumve dare exuli, nisi imperator, ex aliqua causa (Digest 48.19.4).*

Once the opportunity to move freely under the *aquae et ignis interdictio* had been taken away, the new regulations installed and the individual had been placed on his island, he had no opportunity to raise an army or incite rebellion. The emperor had effectively pre-empted insurrection - without taking away the individual's life - and he had also severely restricted the person's movements. It was a legal antidote for dealing with anyone whom the emperor might have deemed troublesome, yet it did not carry the heavy guilt of using the death penalty, which might have incited the people to protest and could have been counter-propagandist.

A more sinister purpose for the introduction of the tougher penalty is that, to some, the non-person status and effect of *deportatio* would actually have been worse than death itself. It is a trope of exilic writing that

banished people often refer to their existence as a form of "living death" - to the point that many say death itself would be more welcome than their present state. The Elder Agrippina must have felt that she was in such a situation when she was exiled to Pandateria by Tiberius. Bearing in mind the emperor's undisguised enmity towards her, the wife of Germanicus could easily be seen more a victim of *deportatio* than *relegatio*, since she had no hope of recall to Rome. There is also the evidence that she and her son Nero were removed in chains, in closed litters, and with a guard of soldiers who kept people away from the exiles: *Nurum ac nepotes numquam aliter post damnationem quam catenatos obsutae lectica loco movit, prohibitis per militem obviis ac viatoribus respicere usquam vel consistere* (Suet. Tib. 64). The beating Agrippina received at the hands of a centurion, which resulted in her being blinded in one eye, hardly suggests she would have been without a body of guards on Pandateria, either: *Pandatariam relegavit conviciantique oculum per centurionem verberibus excussit* (Tib. 53). She was also force-fed after she had threatened to starve herself to death: *Rursus mori inedia destinanti per vim ore diducto infulciri cibum iussit* (*ibid.*). But the hopelessness of her situation made her persist in her attempts to die in this way and when she eventually succeeded, Tiberius made sure that she suffered *damnatio memoriae* and the senate was persuaded to add her birthday to the days of ill omen: *Sed et perseverantem atque ita absumptam criminosissime insectatus, cum diem quoque natalem eius inter nefastos referendum suasisset* (*ibid.*). Tiberius even allowed a decree to be passed in recognition of his remarkable clemency for not having her strangled and her body cast out on the Gemonian Steps (*ibid.*). If there had been any doubts about his involvement in the death of his wife Julia while she was in exile, Tiberius' similar treatment of Agrippina on Pandateria should have clarified the situation.

The first officially recorded case of *deportatio* appears to have been that of Gaius Vibius Serenus, who was found guilty of provincial maladministration in Hispania Ulterior in AD 23 and was deported to the Aegean island of Amorgos: *Et Vibius Serenus pro consule ulterioris Hispanianae, de vi publica damnatus, ob atrocitatem morum in insulam Amorgum deportatur* (Ann. 4.13). It is an interesting case because Vibius Serenus is said to have been guilty under the *lex Iulia de vi publica*, which was originally introduced by Caesar and would normally have resulted in a sentence of *aquae et ignis interdictio*. So the sentence of *deportatio* must be seen as an aggravation of the penalty, and may have been implemented because Tiberius had recently introduced it. A surer example of *deportatio* occurred in the case of Publius Suillius Rufus, who was officially charged with bribery in 24. The senate sentenced him to exile from Italy, but Tiberius insisted that he should suffer *deportatio* instead of *aquae et ignis interdictio*. The reasons for such action were that Tiberius was aware both of Suillius Rufus' connection with Germanicus and his opposition to the emperor.

Voluntary exile seems to have ended during the reign of Tiberius. There are no examples from the primary sources of anyone voluntarily attempting to change his Roman citizenship for that of another state. In a reminder of the days of the Republic, the exile Vulcacius Moschus was permitted by the senate to bequeath his estate to his adopted homeland of Massilia, following the precedent set by Publius Rutilius, but this is the final example of such an action being allowed: *Tunc tractatae Massiliensium preces probatumque P. Rutilii exemplum; namque eum legibus pulsum civem sibi Zmyrnaei addiderant. Quo iure Vulcacius Moschus exul in Massilienses receptus bona sua rei publicae eorum ut patriae reliquerat* (Ann. 4.43). The use of *deportatio* was soon to grow and it involved the

forcible removal of the condemned person³³⁶. For example, Flaccus was conducted to Andros by guards, although he is said to have been turned over to the custody of the Andrians before his escort departed (Philo *In Flaccum* 155, 157. 161ff). He is also described as often spending his days in the country when he was living in town, and later he changed his place of residence from the town to the country (*In Flaccum* 167ff, 185). References to imprisonment grow more and more frequent as Tiberius' principate continues. The almost unheard-of act of imprisonment during the Republic was emphatically changed, so the condemned person was incarcerated to prevent him escaping both before and after the verdict³³⁷.

ISLAND EXILES

The significant point about the most important exiles of the Augustan principate was that they had a connection with the imperial family and were generally relegated to islands off the west coast of Italy, normally within a fairly close sailing distance from Rome. It was a trend that Tiberius and the later emperors were to follow as far as those with a claim to the throne were concerned. The most obvious reason for having the imperial family exiles close to Rome was so that the emperors could easily keep a watch on them, in much the same way that Augustus had been able to keep an eye on the activities of Lepidus when he banished him to Circeii around the same western stretch of coastline

³³⁶Words used in the primary sources to describe the act of deportation include *deportare* (*Ann.* 4.13.2; 6.48.6; 16.9.2), *amovere* (*Ann.* 4.31.5; 14.57.1), *demovere* (*Ann.* 6.30.2), and *avehere* (Suet. *Titus* 8.5).

³³⁷There is only one case cited during the days of the early Republic and that is the threat of imprisonment on the *publicanus* M. Postumius (Livy 25.4.9)

One group of islands stands out in terms of the members of the imperial family who were sent there - the Pontian Islands. The list of people exiled to Pandateria and Pontia is impressive: Julia, Agrippina, the Younger Agrippina and Octavia to the former; Nero and Julia Livilla to the latter. Had Augustus' daughter Julia not still been alive when her own daughter was exiled to Trimerus, the latter would probably have been sent to Pandateria. The tradition was even continued into the reign of Domitian, who relegated Flavia Domitilla there (Dio-Xiph. 67.14). The use of the island is particularly noticeable because it becomes the location for some of the most important women in the imperial family. It is likely that the island's growing reputation as a place of confinement struck enormous fear into whomsoever was sentenced there and so deepened psychologically the effect of the punishment. This can be seen no more clearly than in Tacitus' depiction of Octavia's final plea before her murder. It is recounted as vividly as if it were made personally to Nero, whereas Octavia was actually in exile on Pandateria *inter centuriones et milites* and any plea to them, ordered by the emperor to kill her, would of necessity have been ineffectual³³⁸. The tableau that Tacitus presents is that of a young girl, alone and trapped, who is utterly helpless at the hands of a merciless tyrant. The sense of loneliness is particularly emphasised by the thought of her being on her own in exile on the dreaded island which had a terrible reputation as the scene of death for other women in the imperial family, particularly Agrippina³³⁹. For the author who penned the *Octavia*, it is enough merely to allude to the dangers ahead. Octavia's character declares: *non invisa est/mors ista mihi/armate ratem, date vela fretis/ventisque petat*

³³⁸See Bastomsky, S.J., "Tacitus, Annals 14. 64. 1: Octavia's Pathetic Plea," *Latomus* 51 (1992) 606ff, and Bastomsky, S.J., "A Note on some Hot Baths and Accelerated Deaths in Nero's Principate" *Latomus* 52 (1993) 612ff.

³³⁹Goodyear, F.R.D., *op. cit.*, 24, points out that Tacitus "is so deeply involved that his indignation breaks out in a violent crescendo of emotion".

puppis rector/Pandatariae litora terrae (Octavia 71-74). Octavia's plight is an indication of how much crueler exile had become. It is worth remembering that Augustus was swayed by the populace to bring his daughter from Pandateria to mainland exile at Rhegium, whereas Nero first exiled his wife under armed guard to Campania - *mox in Campaniam pulsa est addita militari custodia* (Ann. 14.60) - then transferred her to Pandateria and finally had her executed while she was in banishment.

Only members of the imperial family are recorded as being exiled to Pandateria or Pontia. It is also noteworthy that the victims who were connected with the imperial household were always exiled to their designated place of banishment in solitude. Such action is totally understandable from the emperor's point of view in that he would not have wanted several exiles to associate or provide a single focal point for an attempted rescue which might have led to insurrection and destabilisation of the regime. Once again, there is also the psychological effect of isolation on the individual. The knowledge of what life was like on Pandateria might even have been one of the reasons why the populace protested to Augustus at the banishment of his daughter. Another reason for detaining only women connected with the emperor might have been that there was one specific imperial villa, which was thought too special to be used even by other exiles. The island's reputation as a place of exile may have been why one of Caligula's first actions on becoming emperor was to retrieve his mother's ashes from it, as well as his brother's from neighbouring Pontia (Cal. 15.1; Dio 59.3.5).

But what of the other exiles? There is a wide variety of destinations for the victims who were not members of the imperial family. They range from the Balearic Isles, lying off the east coast of Spain in the

Mediterranean, to the farthest Greek islands. In fact, the majority of islands that are mentioned as places of exile by the primary sources are now regarded as attractive holiday "hot-spots" where people from all over the world go for their annual vacations³⁴⁰. The islands most frequently designated as places of exile in the early empire were the Cyclades, Sardinia, Corsica, the Balearic Isles, and certain small islands close to the Italian shore. Naturally, the destinations for exiles were dictated by the limits of geographical knowledge of the Roman world.

The reason why the emperors used islands was probably because there was always more of a risk in exiling someone to the mainland. Important exiles might be placed too close to one another and to places where rescues might be attempted, which could have led to rebellion against the *princeps*. But even though island exile becomes the standard way of banishing victims, it is hard to gauge the exact number of exiles in any one place or on any one island at a given time. For example, we learn of three Augustan exiles at Massilia, two Tiberian exiles on Seriphos, and three Neronian exiles of the years 62-65 in Sardinia. In AD 66, the praetor Antistius Sosianus had a chance to steal the papers of his fellow-exile Pammenes in some unknown place of exile (*Ann.* 16.14). We learn of the young Gracchus growing up at Cercina among landless men (*extorres*), who were probably exiles (*Ann.* 4.13). Seneca also suggests that there was quite a number of exiles on Corsica when he arrived there (*Ad Polyb.* 13.3). The inference from these examples is that exiles were often kept in the same place, but never exiles from the imperial family. As the dynasty continues, the greater number of exiles are relegated or deported to islands in the Aegean Sea.

³⁴⁰Of all the exiles from the Julio-Claudian Dynasty, Ovid is probably the only one who complained about the cold temperature in his place of banishment.

There are several possibilities why the emperors should have chosen to exile so many people to islands in the Aegean. The sheer number of islands, particularly those of the Cyclades though differing greatly in size, served the purpose and were alike in their general configuration: rugged, mountainous and lacking in good harbours. Unlike the exiled members of the imperial family whom the emperors kept close to Rome, senatorial victims could be more safely disposed of if they were placed at a greater distance from the centre of power on isolated islands which would require at least a sturdy ship and a skilled navigator to reach them. It is extremely doubtful whether any person even attempted to escape from his place of exile since the punishment for transgression of a sentence of banishment had become so severe. The islands also had a wide range of status. Some were rich and powerful, like Naxos and Paros, others derived prestige from their religious associations, and yet others were little more than fishing communities or barren rocks³⁴¹. The immediate association with Greek culture would also have been immensely distasteful to many Romans who, unlike Tiberius, often publicly manifested their revulsion for Greek culture³⁴². This would undoubtedly have added to the exiles' feeling of dislocation and a sense of not belonging to the place where they had been left.

One such "barren rock" was the island of Gyaros, which had a notorious reputation and was genuinely dreaded as a place of exile. Augustus had always been aware of the existence of Gyaros, but there is no record of any exiles being sent there under his orders³⁴³. An example of

³⁴¹Pounds, N.J.G., *An Historical Geography of Europe 450 BC - AD 1330* (Cambridge: CUP, 1973)

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³⁴²See Mellor, R., *op. cit.*, 53, on Tacitus' distaste for Greek culture.

³⁴³A small number of fishermen worked on the island and an ambassador was sent from Gyaros to ask

the island's notoriety can be gleaned from a comparison of trials during the reigns of Tiberius and Nero. The first case described by Tacitus is that of the governor of Hispania Ulterior, Vibius Serenus, and the second is that of Musonius Rufus. Vibius Serenus was brought back from his exile on the island of Amorgos, in irons and a mass of filth and rags, to face an accusation brought by his own son, who stated that Vibius Serenus had plotted against Tiberius and had sent agents to Gaul to incite rebellion. Some members of the senate had suggested that the accused should be punished according to ancestral custom - by decapitation after flogging - but Tiberius, keen to demonstrate his *clementia*, interposed with his veto. He also blocked a motion of Asinius Gallus, who suggested that the prisoner should be confined to Gyaros or Donusa, which lies east of Naxos in the Aegean. Tiberius reminded Gallus that both islands were waterless and if you granted a man his life, you must allow him the means of living: *egenam aquae utramque insulam referens dandosque vitae usus, cui vita concederetur* (*Ann.* 4.30). Accordingly, Serenus was re-deported back to Amorgos: *ita Serenus Amorgum reportatur* (*ibid.*). However, by the time of Musonius Rufus' exile - under Nero in 65 for his alleged complicity in the Pisonian conspiracy - Gyaros was considered a suitable place for the Stoic philosopher (*Ann.* 15.71)³⁴⁴. The disgraced prefect of Egypt, Avillius Flaccus, had originally been designated Gyaros as his island of exile when the sentence of *deportatio* was passed against him by Caligula. Philo (*In Flaccum* 151) alludes to the bleak nature of the island when he states: "He [Flaccus] was sentenced to banishment and expelled not only from the

for a reduction of their annual tribute in 29 BC when Octavian was at Corinth on his way to Rome (Strabo 10.5.3). Also see Millar F. and Segal, E. ed., *Caesar Augustus: Seven Aspects* (Oxford: OUP, 1990) 41 and 43. Cicero says that he had touched at Gyaros on his way to Cilicia in a letter from the island in 51 BC (*Att.* 5.12.1f).

³⁴⁴On Gyaros, Musonius even assembled a kind of school counting as a pupil Epictetus, who, in his own long relegation to Nicopolis from 94 on, attracted Arrian with many others. See MacMullen, R., *Enemies of the Roman Order* (London: Routledge, 1966) 65.

whole continent, which is the larger and better section of the habitable world, but also from every one of the islands in which life can prosper." Fortunately for Flaccus, an intercessor pleaded successfully on his behalf that he should be deported instead to the next closest island, which was Andros (Philo *In Flaccum* 151). The notoriety of Gyaros was such that Juvenal was writing about it years later as the worst place where one could live. He wryly comments that to be anybody in his time, you had to do something worthy of exile to Gyaros: *aude aliquid brevibus Gyaris et carcere dignum, si vis esse aliquid* (Juvenal 1.73-74). This remark alone shows how conspicuous fame could result in exile and since the emperor was the only person who could authorise the sentence of *deportatio*, the attack on despotism is implicit. In another satire, Juvenal states that Alexander the Great complained so much about the narrow limits of the world that one might think he were confined on a small, desolate island such as Gyaros or Seriphos, the other notorious island: *Unus Pellaeo iuveni non sufficit orbis; aestuat infelix angusto limite mundi/ut Gyarae clausus scopulis parvaque Seripho* (Juvenal 10.168-170)³⁴⁵. The islands' reputation was such that they have been compared to places like Siberia or Buchenwald in the twentieth-century³⁴⁶.

By the time of Nero's principate the number of Greek islands being used as places of exile had grown considerably, particularly those in the Aegean. The leading senators and families who were banished are generally well-known, but we also learn through Tacitus of many other victims about whom nothing more is known in the historical texts. The historian gives us a number of names - Cluvidienus Quietus, Julius Agrippa, Blitius Catulinus,

³⁴⁵Juvenal uses the alternative spelling of Gyara for Gyaros.

³⁴⁶Starr, C.G., *op. cit.*, 161, states: "Two islets, Gyara (or Gyaros) and Seriphos, were so small and so limited in natural resources that exile to them was almost a living death; in the days of Domitian, Gyara had the ring which Siberia or Buchenwald carries today."

Petronius Priscus, Julius Altinus - but merely adds that Nero exiled them to the Aegean islands "as it were, to complete the mass and the list" (*Ann.* 15.71). Indeed, the list appears to have lengthened so much that the Aegean islands might have been full of exiles, since later sentences of banishment see the victims consigned to places such as Sicily and Sardinia.

FLACCUS IN EXILE

The best account we have of life in exile on an island does not appear in any of the main sources, including even those of Cicero, Ovid or Seneca. Instead, we look to the Jewish historian Philo and his description of the former prefect of Egypt, Avillius Flaccus. The account, written in Greek, is biased, owing to the oppressive actions of Flaccus which obviously went against the faith and beliefs of the historian³⁴⁷. But, perhaps because of this bias, Philo manages to convey how the sentence of exile was imbued with a real sense of shame and disgrace. In many respects, it might be used as a template for all those who found themselves exiled to the islands in the Aegean or indeed to the other places of exile later in the dynasty. We are told how, on being condemned for his crimes of misgovernment and cruelty to the Jews, Flaccus was made to travel along the road from Rome to Brundisium just as he had when he was made governor of Egypt just a few years before. The main difference is that on the first occasion he was puffed up with pride and paraded the grandeur of his good fortune, while on the latter he was an object of derision. Philo writes of fingers pointing at Flaccus and insults being hurled at him, though he was actually weighed down even more by the radical change in his status. Flaccus' inverted

³⁴⁷The enduring antipathy between Romans and Jews does not need to be explained in this thesis. Perhaps one of the most obvious examples is Juvenal's attitude to Tiberius Julius Alexander, the Jew who became a Roman *eques* and rose to the rank of Prefect of Egypt. Juvenal symbolizes in him the contempt he felt for the Jews and his perennial dislike of Egyptians (Juvenal 1.129-130).

procession, from a journey of glory to one of shame, is a trope which recurs in the Roman writers. Often it is found in a literary story where the wedding procession that turns into a funeral march³⁴⁸, but there is a more apt comparison which concerns Caligula. His mother, Agrippina, had piously made the journey back to Italy with the ashes of Germanicus after his untimely death, amid great woe (*Ann.* 3.1-2)³⁴⁹. In stark contrast, Caligula later accused his sisters of committing adultery with Aemilius Lepidus and of becoming involved in plots against his life. Lepidus was executed and, in a bizarre travesty of the return of Germanicus' remains to Rome, Caligula's sister Agrippina was given Lepidus' bones in an urn and forced to carry them back to the city (Dio 59.22.6-8).

The description of Flaccus' route into exile, via the Ionian Gulf, is quite detailed. The sense of shame is apparent when Philo states: "People gathered whenever he disembarked, some motivated out of malice, the rest, who felt they might learn from fate of others, to sympathise" (*In Flaccum* 154). The pace of Flaccus' journey never slackened and we are told that his guards would not allow him any rest along the way, but forced him to change ships immediately to a small merchant vessel before arriving storm-tossed at the Peiraeus. From there, he coasted along Attica to Cape Sunium and then continued his journey along the series of islands which lie in a row, until he reached his journey's end at the island of Andros. Philo's description of Flaccus' dejection on seeing the island must have been identifiable to all exiles who found themselves in a similar situation: "Oh, my guards and escort, it is for this fine land of Andros, this unblest island

³⁴⁸A section from the *Metamorphoses* of Apuleius is representative of this tradition: *Perfectis igitur feralis thalami cum summo maerore sollemnibus, toto prosequente populo vivum producitur funus, et lacrimosa Psyche comitatur non nuptias sed exsequias suas* (*Metamorphoses* 4.34).

³⁴⁹Caligula, in his turn, emulated Agrippina's journey by bringing back her ashes, along with those of his brother Nero, from their places of exile on Pandateria and Pontia (Suet. *Cal.* 15).

that I exchange happy Italy, I, Flaccus, who was born and reared and educated in sovereign Rome, the schoolmate and familiar associate of the grandsons of Augustus, chosen at the court of Tiberius to be among his foremost friends, entrusted for six years with the charge of Egypt, the greatest of his possessions?...This petty island what shall I call it? My home of exile, or a new fatherland, a hapless haven and refuge? A tomb would be its truest name, for as I journey in my misery it is as though I were bearing the corpse that is myself to a sepulchre. For either through my afflictions I shall break the thread of my miserable life, or even, if I am able to survive, die a long drawn-out death in which consciousness still lives" (*ibid.* 158-160). The highly rhetorical speech emphasises the stark difference between Flaccus' former exalted position in Rome and the prospect of life as a *deportatus* on Andros. Once again, the exile is seen to emphasise his plight as a form of living death.

Flaccus' shame continues on the island when the local inhabitants come to gaze at him. This is a particularly interesting passage since it conveys the idea of the Andrians' involvement in the exilic proceedings. There are few, if any, other examples in the primary sources of the indigenous population being involved in this way. Flaccus' escort of guards is said to have brought him to the popular assembly of the Andrians and exhibited him to them all, calling on them to witness the arrival of the exile at the island. Once again, the sense of shame is emphasised. Having fulfilled their service, the guards departed. It is at this point that the sense of exile is truly felt - when even the familiar faces of his guards have gone and Flaccus is left alone among the Andrians. The moment that the exile realises he is in an alien location without any friend or acquaintance is when his suffering becomes most poignant. The dislocation is complete. As Flaccus gazed around at his desolate place of exile, he considered that a

violent death in his native land would have been the lighter evil, or in comparison with his present plight, a welcome boon. The thought of facing a violent death rather than succumbing to this exilic fate is a theme that has already been seen in Cicero's letters from Thessalonica. Flaccus is described as shunning the chance of meeting people in large numbers because of the shame that he felt. Unlike Ovid, he would not go down to the harbour, nor bring himself to enter the market, but, like Cicero, he shut himself at home and lay hidden there. The only time he dared to venture out was in the dark, early hours of morning when no one else was around. He would spend his time in solitude, turning aside if anyone was about to meet him. A few months after his arrival he bought a small piece of ground and spent much of his time there in solitude, weeping about his fate. Philo then describes how Caligula devised his plan to do away with the most distinguished exiles. Flaccus headed the list³⁵⁰. The final section of the account is devoted to a graphic description of Flaccus' death and burial within a pit.

Colson, who translated the account of Flaccus, says: "Philo gloats over the misery of Flaccus in his fall, exile and death with a vindictiveness which I feel to be repulsive." He adds that this is the only treatise which those "who admire the beauty and spirituality so often shown both in the Commentary and Exposition might well wish to have been left unwritten"³⁵¹. On the contrary, in spite of its obvious bias, the account of Flaccus' exile affords us a rare opportunity to consider the fate of a banished person in the Julio-Claudian Dynasty through the words of a primary source whose account is not autobiographical.

³⁵⁰Flaccus, who was made prefect of Egypt in 32, had become *persona non grata* as far as Caligula was concerned because he had testified against Agrippina in 29.

³⁵¹Colson, F.H. tr., *Philo IX* (London: Heinemann (Loeb Classical Library), 1941) 301.

TIBERIUS THE EXILE

It is worth considering the factors that might have motivated Tiberius to make such a key change in the law with regard to exile. Scholars have avoided any extensive analysis of his introduction of *deportatio*. Few have drawn any correlation between its introduction and the fact that Tiberius himself had personally experienced the effects of exile on several occasions, often at firsthand. Initially he had endured it as a child when he fled into exile with his parents after his father had sided with Lucius Antonius at Perusia in 41 BC. The family escaped to Praeneste and then Neapolis, before finally taking refuge in Sicily (*Tib.* 4). The uncertainty of this time must have had its effect on the young Tiberius: *infantiam pueritiamque habuit laboriosam et exercitatum, comes usque quaque parentum fugae* (*Tib.* 5). Then there were his eight years as an exile on Rhodes while the drama of the imperial succession unfolded: *ne iis quidem annis quibus Rhodi specie secessus exul egerit aliud quam iram et simulationem et secretas lubidines* (*Ann.* 1.4)³⁵². Suetonius (*Tib.* 10) states that the reason Tiberius went to Rhodes, when Gaius and Lucius looked set to take over from Augustus, was similar to the behaviour of Agrippa, who withdrew to that favourable place of exile, Mytilene, when Marcellus was the heir-apparent. The main difference is that Agrippa was permitted to return to

³⁵²Levick, B., *Tiberius The Politician* (London: Thames & Hudson, 1976) 225, compares the future emperor's righteous indignation on Rhodes to that of Rutilius Rufus; Weller, J.A., "Tacitus and Tiberius' Rhodian Exile", *Phoenix* 12 (1958) 31ff, states that Augustus refused to allow Tiberius to return until after the deaths of Gaius and Lucius, and that the retirement became, if it was not from the beginning, exile. Ferrill, A., *Caligula: Emperor of Rome* (London: Thames & Hudson, 1991) 30, shares the view that "Tiberius spent a few years in a retirement that turned into forced exile on the island of Rhodes (6BC-AD2)". Marsh, F.B., *The Reign of Tiberius* (Oxford: OUP, 1931) 38, says Tiberius' decision was bitterly resented by Augustus "and Tiberius finally discovered that at Rhodes he was not so much a private citizen as an exile".

Rome after his sojourn abroad, whereas Tiberius lived in genuine fear of not being able to return: *remansit igitur Rhodi contra voluntatem* (Tib. 12). He must have also worried about his safety, since there is at least one anecdote which tells of one of Gaius' courtiers offering to bring the young prince the head of "The Exile": *ac familiari quondam convivio mentione eius orta exstiterit qui Gaio polliceretur, confestim se, si iuberet, Rhodum navigaturum caputque exsulis - sic enim appellabatur - relaturum* (Tib. 12).

The notion that Tiberius considered his "retirement" exile in all but name is highlighted by the fact that on his way to Rhodes, he uncharacteristically forced the Parians to sell him a statue of Hestia and he sent it to Rome to be set up in the Temple of Concord that he was to dedicate in his own name and in that of his dead brother. The purchase and dispatch of this statue, made at a time of stress and revealing Tiberius' reaction to the events of 6, certainly echoed the action of Cicero in making an offering to Minerva Custos as he went into exile³⁵³. During his time on Rhodes, he learned of the exile of his wife Julia. Her behaviour in Rome has been cited as one of the possible reasons for his withdrawal from Roman life, but while he was on Rhodes he actually interceded on her behalf as far as Augustus' handling of the case was concerned (Tib. 11).

The effect of exile on Tiberius can be discerned in an episode which appears at first reading to be merely a typically Suetonian anecdote emphasising the nature of a "bad emperor". It is uncertain when the incident occurs, but it concerns Tiberius' reaction to a remark of one of his Greek coterie. Suetonius reports how one of them, Xeno, was pronouncing

³⁵³Sattler, P., "Julia und Tiberius," *Latomus* 31 (1972) 779.

some obscure phrases in what seemed to be a foreign language. When Tiberius asked him what was the dialect which was so affected, Xeno replied that it was Doric. The emperor believed the Greek was mocking him for his own enforced exile on Rhodes - because the Rhodians spoke Doric - and immediately exiled Xeno to the Aegean island of Cinaria, north-east of Amorgos: *Xenonem quendam exquisitis sermocinantem cum interrogasset, quoniam illa tam molesta dialectos esset, et ille respondisset Doridem, relegavit Cinariam, existimans exprobatum sibi veterem secessum, quod Dorice Rhodii loquantur* (Tib. 55). Xeno's exilic destination reveals a cruel sense of humour on Tiberius' part - since they spoke Doric on Cinaria. Indeed, the emperor's reaction is not merely a fit of pique that might more readily be associated with Caligula. Tiberius was too much a master of *dissimulatio* to become angry with individuals for no apparent reason and here the emperor manifests precisely the sense of hurt that a returned exile would feel when taunted about his punishment. It is redolent of the same sense of shame that Cicero would have felt on his return from Macedonia when he was insulted by the taunts of people such as Clodius. The fact that Suetonius pointedly remarks that others had referred to him contemptuously as "The Exile" shows in what low esteem he was held during his time on Rhodes. It is also noticeable that when Suetonius describes Tiberius' reason for his exile on the island as being the same as Agrippa's, the historian writes: *Quam causam et ipse, sed postea, reddidit* (Tib. 10). The significant point is the positioning of the phrase *sed postea*, which dominates the sentence by dividing pronoun and verb and suggests that Tiberius merely tried to cover up the fact he was unable to return by comparing his own behaviour to that of Agrippa. Again, there are echoes of Cicero, this time in the post-exilic speeches when he claimed one thing about the reason for going into exile, but all the time he knew the truth to be another. Even when Tiberius had returned to Rome, there were

a number of verses being circulated in which he was clearly attacked for his exile on Rhodes: "*Non es eques; quare? non sunt tibi milia centum;/Omnia si quaeras, et Rhodus exilium est*" (Tib. 59). The imputation is that Tiberius is not even a Roman citizen because an exile has lost his citizenship, still less a knight since one would require the possession of four hundred thousand sesterces and Tiberius, as the adopted son of Augustus, had no property. The last verse holds the final sting: "*Et dic: Roma perit! regnavit sanguine multo,/ad regnum quisquis venit ab exsilio*" (*ibid.*). Here, one finds a juxtaposition of the worst invectives that could be hurled at Tiberius - to be called a king who has come from exile. Since the expulsion of the last of the Roman kings, the idea of a monarchy was repellent to the Roman mind. To suggest that such a king might have come to power after being an exile is a double insult.

Once he had been recalled to Rome, Tiberius' actions are redolent of the typical exile. First, he was barred from taking any part or active interest in public affairs: *Permittente ergo Gaio revocatus est, verum sub condicione ne quam partem curamve rei p. attingeret* (Tib. 13). Then he moved his home, from the Carinae and the house of the Pompeys to the Gardens of Maecenas on the Esquiline where he led a very private life, merely attending to his own personal affairs. Even when he did eventually achieve ultimate power, Tiberius is portrayed very much as a solitary figure by the sources. His actions against the licentious may possibly reflect not only a continuation of Augustan policy, but the deep-seated resentment of a man who had been cuckolded and turned into a laughing stock by the actions of his wife. They may also account for his later harsh treatment of Julia when she was confined under guard and her allowance was stopped while in exile on Rhegium. His long-lasting resentment also brought about the murder of Sempronius Gracchus in exile.

Rather than mention the emperor's exile on Rhodes, Plutarch (*De Exilio*, 602) concentrated more on the latter period of his life and compared Tiberius' last seven years on the island of Capri to a form of exile. He was not the only one. Tacitus notes that, in his will of 35, L. Fulcinus Trio accused Tiberius of senility and stated that his continued absence from Rome had made him little more than an exile (*Ann.* 6.38.2ff)³⁵⁴. If any figure from the imperial family was able to appreciate the torments of island exile, it would have been the very person who had endured it himself. Yet Tiberius still decided to make the sentence of exile even worse by introducing *deportatio*. There is no sure answer to the question why, but Tiberius' own psychological experience in exile may well have influenced his reasoning. Indeed, the effect of exile may have also greatly influenced his other political decisions, not merely those pertaining to the banishment of others. The sentence of exile obviously had a profound effect on whomsoever it affected and that may have contributed to the Tacitean impression we have of "a desperate, lonely, misanthropic psychopath who has become one of the most vivid characters in Latin literature"³⁵⁵.

COMPANIONSHIP IN EXILE

The possibility of social interaction between exiled persons changes as the dynasty goes on. The real face of despotism manifested itself in the way that enforced residence on a particular island replaced free-ranging exile to any part of the Roman world. This development would have meant a

³⁵⁴Seager, *op. cit.*, 202, makes the point that Tacitus chose to follow the majority of his sources in ascribing the *princeps'* withdrawal to the wiles of Seianus, but he did not fail to notice the obvious fact that, for six more years after Seianus' fall, Tiberius remained in voluntary exile.

³⁵⁵Mellor, R., *op. cit.*, 44.

stronger sense of solitude for the exile and implies that companionship would have been at a premium, if not wholly absent. An important consideration for the exile would have been the absence of sexual relations. There is no evidence available in any of the sources with regard to this situation, but the only options available to the exile would have been some sort of arrangement with the local people or the use of slaves. The only certain information available regarding sexual relations is the fact that at the end of the Julio-Claudian Dynasty more wives are recorded as accompanying their husbands into exile. The implication is obvious.

Griffin makes the point that friends often travelled together on trips overseas - and even into exile³⁵⁶. However, the examples he gives are of Cn. Sallustius attending Cicero; Cicero awaiting Atticus at Dyrrhachium and Quintus in Epirus; Tiberius accompanied by a senator and at least two *equites* on Rhodes; and "one brave soul" who claimed to have accompanied Seneca to Corsica. Such a comment does not really take account of the fact that when Tiberius took over the reins of power he changed the idea of exile for good. Indeed, the "one brave soul" who is thought to be Caesennius Maximus, is mentioned purely because of his exceptional behaviour. If an inference in Martial is accepted (7.44.10), Caesennius accompanied Seneca when the latter was exiled to Corsica under Claudius. We do not know for certain how long Caesennius might have stayed with Seneca, but as one modern scholar puts it, such an act of friendship would have been "no mean undertaking given the Roman horror at the idea of banishment from the capital and the risk of imperial wrath"³⁵⁷. Caesennius' kindness was rewarded in like fashion when he himself suffered exile after the Pisonian conspiracy. His friend, Q. Ovidius, voluntarily kept him

³⁵⁶Griffin, J., *op. cit.*, 61n.35.

³⁵⁷Rudich, V., *op. cit.*, 125.

company when he was banished to Sicily, an act which must have been even riskier bearing in mind the nature of the later emperor³⁵⁸. Martial's poems (7.93; 9.52 and 53) also attest to this friendship. Such behaviour is noteworthy because of its rarity.

Even though the exile might have wished his spouse to follow him to his place of banishment, it would have been inadvisable since she would have been of more use if she stayed in Rome and used whatever connections she might have had to work for her husband's recall, as is seen in the cases of Ovid and Cicero. Family ties also influence the later actions of exiles, especially in the case of a Neronian victim such as Rubellius Plautus, who had been accompanied into exile on his Asian estate by his wife and a few intimate friends, including Musonius Rufus. Rubellius obediently offered no resistance to his executioner when he interrupted his morning exercises at his Asian place of exile. One reason for his apparent passivity might have been prompted by concern for his family who could have been victimised by Nero if he had resisted.

What becomes increasingly apparent, as the dynasty continues, is that wives do eventually accompany their husbands into exile. This was certainly the case in the aftermath of the Pisonian conspiracy against Nero. Glitius Gallus, possibly a stepbrother of Domitius Corbulo, was banished to Andros in 65, but his wife, Egnatia Maximilla, a woman of independent wealth, which was eventually confiscated, decided to accompany him (*Ann.* 15.56 and 71). Two other couples - D. Novius Priscus and his wife Artoria Flacilla, and Flavius Scaevinus and Caedicia - also went into exile together

³⁵⁸The wealthy Cassius Asclepiodotus showed similar devotion to Barea Soranus at the time of his fall (*Ann.* 16.33; Dio 62. 26.2). In retaliation, Nero drove him into exile and confiscated his entire estate. See Rudich, V., *op. cit.*, 160.

as a result of charges laid against them in connection with the conspiracy. The best known example of the devoted wife in exile is Fannia, who twice accompanied her husband Helvidius Priscus into banishment and was once exiled on his account (Pliny *Ep.* 7.19.4). Mellor makes the point that Tacitus considered such brave, uxorial devotion as "minor, almost futile, assertions of human dignity in a world in which all traditional Roman values are being destroyed"³⁵⁹. Yet what choice did the wives really have if they wanted to remain with their husbands and all chance of a recall seemed totally remote because of the nature of the regime that had exiled them? The wives' response is perfectly in keeping with the changing *zeitgeist*, in which men were becoming inured to the threat, the shame and the disgrace of exile because they could see that it was merely being openly used as a despotic weapon³⁶⁰.

RECALL OF EXILES

An exile's main hope of recall generally lay in the death of the *princeps*. There is a history of emperors celebrating their accession by recalling those people the previous incumbent had banished. Both Caligula and Claudius began their reigns by recalling exiles (*Cal.* 15.4; Dio 59.3.6; Dio 60.4.1; *Ad Polyb.* 13.3; *Claud.* 12.2). On the death of Nero's mother, the emperor recalled several exiles who had been banished through her influence (*Ann.* 14.12.5). The four emperors after Nero, in turn, recalled many exiles who had been banished by the last Julio-Claudian emperor and his predecessor (*Hist.* 2.92; 4.6 and 44). But not all could count on a recall just because of

³⁵⁹See Mellor, R., *op. cit.* 61.

³⁶⁰Relatives are also cited in the sources as accompanying their exiled loved ones to the place of banishment. One has only to think of Scribonia going with Julia to Pandateria and Rhegium (Velleius Paterculus 2.100.5; Dio 55.10.14ff); the young son of Sempronius Gracchus accompanying him to Cercina (*Ann.* 4.13.4); and the many children among the Neronian exiles who were restored to Rome by Galba (*Tac. Hist.* 2.92).

a change in the *princeps*. Two exiles who attempted to leave their islands of exile without permission because there had been a change of ruler found themselves swiftly sent back by the emperor Vespasian (*Ann.* 15.73; *Hist.* 2.92). If a change of ruler did not signal a general amnesty, it was usually the situation that the exile had to go through some form of self-abasement or humiliation, either during or after his term of banishment, to secure a recall. Baldson wrote of Seneca's plea for a return from exile in the *Consolatio ad Polybium*: "But these are the plaintive words of a man in exile who will sink to any flattery in order to secure his recall"³⁶¹. The truth is that, as the dynasty progressed, flattery, servility and self-abasement were the price of a precarious existence even for those who were still in Rome³⁶². Hypocritical senators were soon to reach new depths of sycophantic flattery by giving votes of thanks every time Nero ordered an exile or an execution: *quotiens fugas et caedes iussit princeps, totiens gratis deis actas* (*Ann.* 14.64).

A different way of achieving recall is demonstrated in the case of Antistius Sosianus. His chief pre-occupation was the dream of being recalled and in his unspecified place of banishment, he made acquaintance with another exile, the Greek astrologer Pammenes (*Ann.* 16.14). Having ingratiated himself with the astrologer, Antistius Sosianus learned what could be construed as a compromising matter, namely, that Pammenes had continued practising his profession and was even communicating regularly with his customers in the capital, among whom the distinguished P. Anteius Rufus had provided a yearly pension for the astrologer. Bearing in mind that Anteius Rufus had enjoyed a close friendship with Nero's mother

³⁶¹Baldson, J.P.V.D., *The Emperor Gaius (Caligula)* (Oxford: OUP, 1934) 192. The accounts of the exiled Cicero and Ovid have a similar ring and even Tiberius must have shown a stark humility in his repeated requests to return to Rome from his exile on Rhodes

³⁶²See Wirszubski, CH., *op. cit.*, 138.

before her death and that he was famously rich, thus incurring the emperor's animosity, Antistius Sosianus made his move and turned *delator*, accusing both Anteius Rufus and Ostorius Scapula. Antistius Sosianus wrote to the emperor from exile saying that if he were granted but a brief reprieve from his sentence, he would reveal to him important news of evil doings pertinent to his own safety, namely, that two of his subjects were threatening the status quo by scrutinising theirs and Nero's fate. The emperor obliged and the *delator* was pardoned and recalled immediately, with the ultimate result that both Anteius Rufus and Ostorius Scapula were destroyed³⁶³.

Recall was obviously the most immediate compensatory gesture to any who had been unjustly exiled, but it still could not wipe out the dismay of the wasted and miserable years spent away from Rome³⁶⁴. The returning exile would face the dilemma of wanting to avoid public life to a large extent or wishing to re-enter it because his sentence of banishment was unjust in the first place. Although the returning exile's initial thoughts might not have been towards the resumption of a public career, some were obliged to enter it again for one reason or another. Seneca was definitely a case in point. He was symptomatic of the debt owed to someone because they had interceded on the exiled person's behalf. After eight years' exile on Corsica, Seneca was naturally keen to be recalled, but he also fully understood the implications of Agrippina's intercession on his behalf and knew that he would have to contribute to the rise to power of Nero as repayment for the *beneficium* he had been granted.

³⁶³Sosianus was sent back into exile. See Rudich, V., *op. cit.*, 147.

³⁶⁴It also allowed the more unscrupulous of people such as Publius Suillius Rufus to return. See Rudich, V., *op. cit.*, 27-28.

The later unjust sentencing of a person such as Helvidius Priscus, who was exiled to Apollonia (Scholiast on Juvenal 5.36), during Nero's despotic campaign against the moral opposition meant that he would not feel such a profound sense of shame or disgrace and would be able to throw himself immediately back into public life after the emperor had been deposed. Upon his return to Rome, Helvidius Priscus proceeded with formal charges against Eprius Marcellus (*Hist.* 4.6). Indeed, the return of the Neronian exiles caused great friction within the *curia* when they confronted the very *delatores* who had caused their expulsion from Rome. The returning exile Musonius Rufus had created the impetus for a crusade against these henchmen by prosecuting his fellow Stoic, P. Egnatius Celer, who had given false testimony at Barea Soranus' trial, with the result that Celer himself was condemned to exile in January AD 70.

Should the possibility of recall seem bleak, the ultimate measure an exile of some standing might take would be to devise some form of *coup d'etat* in a similar way to which some modern exiled leaders have regained power within their own countries. It is noticeable, however, that, with the exception of the allegations made by Tigellinus during the reign of Nero against Rubellius Plautus in 62 and the untrustworthy source which briefly records the complicity of several anonymous senatorial exiles in the Gallic revolt of early 68, no such rebellion is recorded in any of the primary sources³⁶⁵. If a conspiracy is reported, it is generally said to have originated within Rome.

³⁶⁵On Gallic revolt, see Rudich, V., *op. cit.* 210.

MURDER AND TORTURE OF EXILES

Two examples in the primary sources give us the view that wide-scale murder of exiles was at least conceived, if not perpetrated by the later emperors. They involve the plans of Caligula and Nero. In the first case, Suetonius records how one man had been recalled from long-standing exile and, when quizzed by Caligula on what he did during his time in banishment, flatteringly replied: "*Deos semper oravi ut, quod evenit, periret Tiberius et tu imperares*" (*Cal.* 28). Caligula's reaction was one of intense anger and, thinking that the people he had exiled would be likewise praying for his death, sent his agents from island to island to butcher them all. Suetonius' account is substantiated by Dio when he states that not even the banished were safe under Caligula and that many lost their lives either on the road or actually while in exile (*Dio* 59.18.3). Seneca corroborates this when he flatters Claudius by stating that exiles under his predecessor hourly expected the sword and trembled at the sight of every ship (*Ad Polyb.* 13.4). Caligula's fury was also fuelled by reports that his island internees were living in luxury. He is said to have drawn up a list of the exiles of high rank, headed by Flaccus, and ordered that the most distinguished and those held in the highest account should all be put to death (*Philo In Flaccum* 182-5). It is quite possible that such an account of large-scale murder might have been embellished or exaggerated, yet the threat to those in exile must have been terrifying.

Nero drew up a similar plan in the last desperate days of his reign. After finding out about the revolts of Vindex and Galba, the emperor decided to massacre all the Roman exiles in every location, principally to prevent them joining the rebels: *quidquid ubique exsulum, quidquid in*

urbe hominum Gallicanorum esset contrucidare, illos ne desciscentibus adgragarentur, hos ut conscios popularium suorum atque fautores (Nero 43). This plan was devised in association with other schemes, which included poisoning the senate at banquets, but none of them was carried out: *Sed absterritus non tam paenitentia quam perficiendi desperatione credensque expeditionem necessariam* (*ibid.*). It is interesting to speculate where exactly these exiles might have been, especially if Nero was afraid that they might have joined the rebels. One cannot imagine exiles on the Aegean islands helping the cause of revolts in Gaul or Spain, yet as we have seen, the majority of the exiles at this time would have been confined to islands. The only clue we have from the Suetonian text is that Nero wishes to massacre all the exiles *ubique*, which would imply that Nero was so paranoid about attack from every quarter that he was literally considering every single exile's murder. Caligula's action, mentioned above, may have provided the example he wished to follow, but this remains uncertain. Nero may even have taken warning from the lessons of history and might have remembered that Sertorius had swollen his ranks with exiles and victims of Sullan proscriptions to fight the dictator's return from the east. To emphasise his stance, Sertorius had even organised a government in exile, appointing his own senate of resident or expatriate Romans, with magistracies and military commands in imitation or mockery of the Roman system (Plut. *Sertorius* 22.3-4; Appian *Bellum Civile* 1.108)³⁶⁶. Suetonius sheds no more light on the matter, while Tacitus and the other main primary sources are silent about it. What cannot be denied is that the combined effect of various sources indicating the growing degree of despotism in the later emperors highlights the increased danger faced by any who might have been exiled. A friend of the Younger Pliny, C.

³⁶⁶See Gruen, E.S., *The Last Generation of the Roman Republic* (Berkeley: University of California Press, 1974), 17-18.

Fannius, even went so far as to write three books describing the *exitus occisorum aut relegatorum a Nerone* (Pliny *Ep.* 5.5). Exile had clearly changed from a properly administered judicial sentence and could easily be followed by the execution of anyone who had fallen foul of the later Julio-Claudians.

After the reign of Augustus, emperors do not demur at murdering certain individuals who had originally merely been banished. This can clearly be seen in Tiberius' dealings with Julia, Agrippa Postumus and Sempronius Gracchus. The practice of murdering key exiles continued throughout the dynasty, especially as far as some senatorial families, such as the Silani, were concerned. The cases of Rubellius Plautus and F. Cornelius Sulla Felix have already been mentioned. The case of Furius Scribonianus is another. Scribonianus' death while in exile is another example of how Tacitus' account can imply the outcome of events without necessarily being totally accurate. We are told that Scribonianus was driven to exile on the grounds that he had consulted astrologers about Claudius' death. He soon died, but whether by natural death or by poisoning depended on which rumour people were willing to believe (*Ann.* 12.52). The juxtaposition of Scribonianus' exile and his death, without stating the precise chronology, as well as the rumour of poisoning will probably suggest to most readers that it was an unnatural death³⁶⁷. Another example is seen in the case of Rufrius Crispinus, the former husband of Poppaea Sabina. The jealous Nero hated him for his former connection with the woman he loved and exiled him on the pretext of his involvement in the Pisonian conspiracy. Once Poppaea Sabina was dead, Rufrius Crispinus was soon informed of what his fate would be and pre-empted it by

³⁶⁷Shatzman, I., "Tacitean Rumours," *Latomus* 33 (1974) 569.

committing suicide while in exile on Sardinia: *Nam hic quondam praefectus praetorii et consularibus insignibus donatus ac nuper crimine coniurationis in Sardiniam exactus, accepto iussae mortis nuntio semet interfecit* (*Ann.* 16.17).

Almost all the accounts of torture are told of exiled members of the imperial family, who were virtually prisoners. They are occasionally contradictory and may belong to the tradition hostile to the Julio-Claudian emperors. The most vivid example is that of Agrippina, whose harsh fate on Pandateria is described above. The story of her treatment was certainly powerful enough to make the writer of the *Octavia* refer to it through the play's Chorus: *Tu mihi primum/tot natorum memoranda parens,/nata Agrippae, nurus Augusti,/Caesaris uxor, cuius nomen/clarum tot fulsit in orbe/utero totiens enixa gravi/pignora pacis, mox exilium/verbera, saevas passa catenas,/funera, luctus, tandem letum/cruciata diu* (*Octavia* 932-941). Whether the account of her torture and death in exile was true or the product of rumour, the amount of detail in Suetonius' account of Agrippina's death certainly indicates that he must have used a different source from the writer of the *Octavia*.

Other dangers that the banished person faced included the possibility of having his property in Rome confiscated through underhand methods. Ovid, for one, presents this scenario in the *Ibis* and it would seem to imply that such an occurrence might not have been an infrequent event. Dio alleges that Nero eventually took to claiming all the property of those living in exile, an action confirmed by Tacitus (*Ann.* 16.14; Dio 63.11.3). The vulnerability of the exile could also lay him bare to further accusations in the law courts, as mentioned above in the case of Vibius Serenus, who had originally been condemned to *deportatio* in 23, but was also brought

back to Rome the following year to stand trial after his own son brought a charge of treason against him.

Should the banished person try to escape his punishment, a range of harsher penalties was drawn up to be implemented on the individual's recapture. Callistratus records: *qui ad tempus relegatus est, si redeat in insulam relegetur, qui relegatus in insulam excesserit, in insulam deportetur, qui deportatus evaserit, capite puniatur* (Digest 48.19.28). The evidence for people who reoffend while in exile during the Julio-Claudian Dynasty suggests that this range of measures was already in place and the edict of Hadrian that Callistratus quotes has no certain date. If anyone attempted to assist an exiled person, the weight of the law would sometimes fall equally on them. The jurist Ulpian records: *interdum pecuniaria poena irrogatur iis qui relegatos suscipiunt: interdum etiam ipsi relegantur, si quidem illi ob magnum crimen relegati sunt* (Digest 48.22.11). The force of such penalties, which were in place during the late-Republic, explains why some were hesitant about helping Cicero in his flight from Rome and, conversely, why Ovid was more than grateful for the assistance offered him by Sextus Pompeius.

REACTION TO EXILE

It had been almost a tradition for the person exiled during the Republic to feel an accompanying sense of profound shame and disgrace. That attitude remained through the beginning of the Julio-Claudian Dynasty until members of the senatorial opposition began to realise that it was not even the system of government that was at fault but the emperors themselves. They lived in constant fear of attack through conspiracy or familial rivalry. To this end, they embarked upon a relentless war against their own

relatives, such as the unfortunate family of the Iunii Silani, almost all of whom had been exterminated by the end of the period³⁶⁸. In this way, once-powerful senators were reduced to docile administrators or odious flatterers. Those who were viewed as recalcitrant became victims, those who abased themselves were spared. Only those related either to the imperial family itself or to the powerful group of families who traced their ancestry chiefly to Pompey The Great - among them, the Scribonii Libones, the Arruntii, the Aemilii Lepidi - dared to engage in serious conspiratorial activities. As the dynasty progressed, so did the tension between the protagonists involved in the power struggle. The enmity between the emperor and the leading families had been greatly exacerbated by Augustus' extension to the meaning of *maiestas*, which now included verbal abuse and slander of the *princeps* and even members of his family. As far as the senate was concerned, the development of the principate meant that, at every stage, an individual's career required the emperor's approval or could be interrupted by his intervention, which, under adverse circumstances, might cost a senator his position, wealth, freedom or even his life. Epictetus summarised the emperor's supremacy when he observed: "No one is afraid of Caesar himself, but he is afraid of death, exile, loss of property, prison, disenfranchisement; nor does anyone love Caesar

³⁶⁸For a full discussion on the conflicts between emperors and senators, see McAlindon, D., *op. cit.*, 2ff. The history of the Iunii Silani was one of frequent conflict with the emperors, and of such continuity that it would be difficult to show the responsibility for it to have been entirely on the side of the emperors. In 22, C. Iunius Silanus was relegated to an island on charges of extortion and *maiestas* after having been proconsul in Asia. D. Silanus, probably a brother of the C. Iunius Silanus, was required by Tiberius not to seek office on his return from exile as a result of adultery with Julia. M. Silanus (*cos.* 15), his brother, was driven to suicide by Caligula, who had married his daughter. Probably a son of M. Silanus, and therefore brother-in-law of Caligula, was the earlier-mentioned C. Appius Silanus, who was executed in 42 by Claudius. Iunia Silana who was exiled in 55, was most likely a sister of Appius Silanus. There was an attempt by Claudius to repair relations between the Iunii Silani and the imperial household when the emperor, in a manner consonant with his whole policy at the time, betrothed Lucius Silanus to his daughter Octavia and granted him many privileges. The attempted reconciliation was short-lived, however, owing principally to the plans of Agrippina to obtain Octavia as a wife for her son Nero. Added to this was a charge of incest against Lucius Silanus and that of plotting against the emperor. The incest charge resulted in the exile of Lucius Silanus' sister.

himself...but we love wealth, a tribuneship, a praetorship, a consulship" (*Dissertationes* 4.60).

There was a cause/effect relationship between hereditary senatorial resistance and imperial persecution, which resulted in exiles and executions under Claudius and Nero. Two main characteristics appear - relationship to the imperial house and *paternum in principes odium*. Many condemnations appear, when seen in their context, to have been at least understandable precautions and sometimes justifiable measures against treason, committed or contemplated. This is especially so in the reign of Claudius. As a result of provocation on the part of Nero, the traditional opposition was joined in the next reign even by some members of hitherto loyal families. A most revealing statistic shows that in the first seventeen years of Tiberius' reign - four years more than the total reign of Claudius - not one senator had been sentenced to death.

The *paternum in principes odium* continued into the reign of Nero, as is seen in the case of Cassius Longinus and L. Iunius Silanus Torquatus, the last member of the ill-fated Silani family. Nero's own indictment against them, as reported by Tacitus (*Ann.* 16.7), charges the pair with two sets of largely incompatible subversive designs. It was also the emperor himself - in a letter - and not the customary delator who initiated the charge of treason. The letter is said to have demanded that "the two must be removed from public business", which is a circumspect expression for exile. Cassius, the descendant of the Liberator, was said to have sought the seeds of civil war, as well as defection from the house of Caesars, and that not content with exploiting the memory of the hated name [i.e. the tyrannicide], he chose a younger one of noble origin and reckless spirit to carry out a *coup d'etat* (*Ann.* 16.7). Meanwhile, Silanus Torquatus was accused, as others in

his family had been before, of appointing freedmen secretaries to supervise the accounts, documents and correspondence of his household in rehearsal for his future responsibilities as ruler of the empire (*Ann.* 16.8). Using imperial precedent, Nero appended a more scandalous indictment which stated that Silanus Torquatus had allegedly committed incest with his aunt Iunia Lepida, the wife of Cassius Longinus and another imperial relative.

The senate, already depleted through the losses from the failed Pisonian conspiracy, showed no defiance of the imperial will and so both defendants were condemned and sentenced to exile (*Ann.* 16.9). Cassius Longinus was banished to the island of Sardinia, while Silanus Torquatus, ostensibly bound to the Aegean island of Naxos, was taken to Ostia, only to be later confined at Barium, a town in Apulia. Unsurprisingly, we learn that the latter's exile was short-lived and that he suffered his most unworthy lot with wisdom before being killed by a centurion. As for Cassius Longinus, he succeeded in surviving Nero as triumphantly as he had suffered Caligula and was recalled to Rome by Vespasian and died in honour at a venerable old age.

The obvious iniquity of so many condemnations during the Neronian principate prompted the victims to take a more philosophical attitude, bringing about a more measured and less self-denigratory standpoint. Epictetus (*Dissertationes* 1.1.26) quotes Thrasea Paetus as saying: "I would rather be killed today than banished tomorrow." Within the perspective of *mos maiorum*, Thrasea's viewpoint can be understood: death was the ultimate test of one's *fortitudo*, while exile, a punishment customarily inflicted upon criminals and enemies of the people, connoted humiliation and was incompatible with *dignitas* in terms both of conduct and status. This sense of the banished person's loss of *dignitas* has a long

history as far as the Romans were concerned and is clearly seen in Cicero's abject, self-pitying correspondence when he was forced to flee into exile. Those who were banished felt more able to rationalise their exilic fate. This was easily achieved because Nero's increasingly repressive policies against the upper classes were persistently undermining the foundations of traditional moralism. The Stoics were particularly targetted, but this was not such an innovation. During the Tiberian principate, distinguished Stoics were already being exiled: *Attalus Stoicus, qui solum vertit a Seiano circumscriptus, magnae vir eloquentiae, ex his philosophis quos vestra aetas vidit longe et subtilissimus et facundissimus* (Seneca *Suasoriae* 2.12)³⁶⁹. The mere possession of Stoic beliefs might have been enough to inflame a suspicious emperor who was on the lookout for hints of disloyalty, especially among members of senatorial families who had already fallen foul of his predecessors³⁷⁰.

The philosophical approach towards a sentence of exile is clearly demonstrated by the Stoics. The prominent Stoic Helvidius Priscus, who was banished firstly by Nero in 66 and was subsequently recalled by Galba, is a prime example of such an attitude. Helvidius Priscus was sent into exile for a second time for continued insults against the emperor Vespasian. Epictetus, the slave of Nero's freedman secretary, Epaphroditus, has recorded one of their memorable encounters, which is worthy of attention principally because it highlights Helvidius Priscus' attitude to the prospect of going into exile when the emperor forbade him from appearing in the Senate:

³⁶⁹There is no certain date for the exile of Attalus, but the death of Seianus in October of 31 provides the *terminus ante quem*.

³⁷⁰See Gamsey, P. and Saller, R., *op . cit.*, 178ff.

Helvidius Priscus: "You can expel me from the Senate, but, as long as I am a member of it, I must go into the house."

Vespasian: "Well, then, go in, but be silent."

Helvidius Priscus: "Don't ask me for my opinion, then, and I will be silent."

Vespasian: "But I must ask you."

Helvidius Priscus: "Then I must say what seems to me just."

Vespasian: "But if you do so I will put you to death."

Helvidius Priscus: "Did I ever say to you that I was immortal? You do your part, and I will do mine. Yours is, to kill; mine, to die without fear; yours is, to banish; mine, to go into exile without sorrow." (*Dissertationes* 1.2.19-22)

The last sentence is all-important. From the way Helvidius Priscus faces the prospect of exile, it is no longer something to be dreaded or a source of great shame - he will face it without sorrow or despondency. Such an attitude is symptomatic of the Stoic position, whereby the doctrines of "the appropriate" (*officium*) and "constancy" (*constantia*), which in combination involve holding steadfastly to one's predetermined station in life and the conduct it requires, could lead to martyrdom. The deaths of Helvidius Priscus and Thrasea Paetus could be seen as a confrontation between emperor and senate. The growing attitude towards the sentence of exile can be seen in Musonius Rufus' rebuff to Thrasea's comment that he would rather be killed today than banished tomorrow. Epictetus (*Dissert.* 1.1.26) records Musonius' response: "If you prefer death as the heavier misfortune, how foolish a preference! If as the lighter, who has given you your choice? Why not study to be content with what is allotted to you?"

Epictetus (*Dissertationes* 1.1.30ff) also gives an account of the impassiveness with which Helvidius Priscus' fellow Stoic, Paconius Agrippinus, received news of his sentence of banishment:

Word was brought to him: "Your case is pending in the Senate."

"Good luck attend it. But now is the hour for exercise."

This being over, a messenger tells him: "You are condemned."

He replies: "To exile or to death?"

"To exile."

"What about my property?"

"It is not forfeit."

"Well, then, let us go as far as Aricia [the first station on the road to exile] and dine there."

Epictetus often cites Paconius Agrippinus as a source of great moral authority and writes: "His character was such...that when any hardship befell him he would compose a eulogy upon it; on a fever, if he had a fever; on disrepute, if he suffered disrepute; on exile, if he went into exile" (fr. 21). Again, such a dialogue reveals the increased resolution in terms of mental and spiritual fortitude towards a sentence which, during Ciceronian times, brought a sense of profound shame and ignominy to the victim. The change in attitude derives from the understanding that there was something fundamentally wrong in the sentences being passed on innocent people. The change had evolved initially during the reign of Tiberius, had contributed to the assassination of Caligula, and was firmly in place by the time of Claudius. The escalation of senatorial opposition eventually reached its zenith during the Neronian principate, particularly during and in the aftermath of the Pisonian conspiracy.

CONCLUSION

It cannot be suggested that all those who suffered the sentence of exile under the later Julio-Claudian emperors were free from guilt - Avillius Flaccus certainly committed serious crimes and so did Vibius Serenus - but it is clear from a study of the primary sources that a larger number of innocent people fell victim to the unjust punishment than at the start of the principate. The examples range from Caligula's treatment of Livia Orestilla to Nero exiling or killing all the children of those condemned for their involvement in conspiracies³⁷¹. The sentence of exile had been turned into a tool of oppression that the emperors used, along with the death sentence, to crush senatorial opposition, principally through the gradual liquidation of all the old aristocratic families. The national catastrophe of 69 can be seen as the inevitable outcome of a regime that eventually drifted into despotism. Whatever their social or economic achievement, the Julio-Claudians created unbearable tensions within the upper class that inevitably exploded and the malevolent use of the sentence of exile was very much a part of that oppression. From the establishment of the principate, with its pretence of legality, the trend of Roman criminal law veered towards greater arbitrariness, wider discrimination according to the defendant, and crueller punishments. Under the Julio-Claudians, the charge of *maiestas* could be invoked at any time against anyone, covering as it did all conceivable signs of dissident behaviour, and it depended solely on the

³⁷¹Suetonius explains that Caligula attended the marriage of Livia Orestilla to Gaius Piso, who was later the figurehead of the plot against Nero. Caligula gave orders that the bride be taken to his own house as his wife, but within a few days he had divorced her and two years later he exiled her because he suspected she had returned to her former husband: *repudiatam biennio post relegavit, quod repetisse usum prioris mariti tempore medio videbatur* (Cal. 25). Nero's action against the children of the condemned conspirators followed the plots of Piso and Vinicius at Beneventum: *Damnatorum liberi urbe pulsi enectique veneno aut fame* (Suet. Nero 36).

emperor and his close associates whether the intended victim perished or not.

The increasing severity of the sentence of exile correlates directly with the escalation in despotic rule under the Julio-Claudians, from Augustus' comparatively lenient application of it to Nero's indiscriminate expulsion of anyone deemed a threat or rival to his power. Augustus sustained his power base by exiling several of those nearest to him; the harsh image of Tiberius, particularly in Tacitus, correlates with his introduction of the most severe exilic penalty of *deportatio*; Caligula's use of exile is as capricious as his many other acts and the depiction of him ordering the murder of all exiles on their islands is symptomatic of the madness that afflicted him; Claudius is as studied in his approach to exilic legislation as he was in his histories, yet as ruthless in suppressing serious opposition; Nero limits his use of exile at the start of his reign - the *quinquennium* - and then degenerates into megalomania. So, it is possible to arrive at a conclusion that transcends the centuries and is applicable to any despotic regime: that the incidence of exile is seen more under the rule of a society dominated by an autocrat than in a democracy. Such regimes will always produce more instances of exile and execution than a self-regulating, democratic society which is accountable to a separate, law-making body. The examples from history - ancient and modern - are legion, from Augustus to Stalin. It follows, therefore, that as power became more and more centred in one omnipotent individual, and that power was transmitted in dynastic sequence, its arbitrary implementation increased to the detriment of Roman society. Few could claim to have both suffered from, and played a role in, that despotism as much as Lucius Annaeus Seneca.

SENECA IN EXILE

Quomodo igitur tot legibus in exilium

eiectus nomen exulis non perhorrescis?

Cicero, *Paradoxa Stoicorum* 4.32.3.

The exile of Seneca to the island of Corsica between the years AD 41 to 49 is one the few concrete facts known about the early life of the gifted polymath who was to become prime minister to the last Julio-Claudian emperor. Indeed, the evidence contained within the two extant works written by Seneca during his banishment have helped to clarify some of the questions posed by the paucity of information on him for the earlier years of his life. Scholars have remarked that, without the testimony of Tacitus, Seneca the statesman could hardly exist³⁷²; yet it is not to the Silver Age historian that we look for facts about his exile, since it is only in 49 when Agrippina had secured his recall and his appointment to the praetorship that he first appears in the *Annals* as we have them today³⁷³. Instead, it is necessary to follow the accounts of Suetonius, Cassius Dio and the Scholiast on Juvenal, who mention Seneca's court case and his exile. Naturally, it is important to use Seneca's own writings, both during and after his exile, as well. The dearth of substantial evidence pertaining to Seneca's situation prior to his exile obviously occludes our fuller appreciation of his state of mind when the sentence of banishment was passed. We are also confronted with, and must attempt to understand, the conflicting

³⁷²Syme, R., *Tacitus* (Oxford, 1958) 552; and see Syme, R., *Ten Studies in Tacitus* (Oxford, 1970) 138; also Henry, D. and Walker, B. "Tacitus and Seneca" in *Greece and Rome* Vol. 10 (1963) 106, who state: "When one reads the *Moral Epistles*, the treatises, and the plays, one realises what a pasteboard figure the Seneca presented by Tacitus is."

³⁷³See Henry, D. and Walker, B., *op. cit.*, 99; Mendell, C.W., *Tacitus, the Man and his Work* (New Haven: Yale University Press, 1957) 147, points out that the manner of introducing Seneca in 12.8 indicates that who and what he was had been explained earlier.

nature of the two pieces of work, the *Ad Helviam Matrem De Consolatione* and the *Ad Polybium De Consolatione*, which we know were definitely written by Seneca while in exile³⁷⁴. We should also try to understand the apparent *volte face* demonstrated towards Claudius in the *Apocolocyntosis*, which lampooned the deified emperor, following the sycophantic passages about him in the second of the two *consolationes*.

By the time of Seneca's exile, the sentence of banishment had been turned into a weapon of oppression. The Virgilian notion of *debellare superbos et parcere subiectis* (*Aeneid* 6.853), which had applied in the Augustan age to foreign adversaries, had taken on an internal significance. The *superbos* could easily be identified as those who represented a political threat to the position of the *princeps* or his successors, the *subiectis* were those ready to kowtow and ingratiate themselves to achieve subservient advancement or mere survival. The voice of protest had been gagged and in more serious cases its tongue had been ripped out. It was under these conditions that Seneca progressed with caution along the *cursus honorum*. The sources are lacking in detail as far as Seneca's early life and career are concerned, but we know that he was born into the family of the eminent rhetorician from Spain and was taken to Rome at an early age (*Ad Helviam* 19.44ff) where he eventually proceeded to an enthusiastic study of Stoic and Pythagorean philosophies (*Ann.* 13.11). He began his public career somewhat late and we know that he had not yet acquired the praetorship when his fall occurred. Under Caligula he was admitted to the inner circles of the Palatine, although such an entree to court life required considerable skill in the art of *dissimulatio*³⁷⁵. He certainly must have displayed this, but even so he still ran into serious danger in one of the most notable defamation trials of

³⁷⁴See Griffin, M., *Seneca: A Philosopher in Politics* (Oxford, 1976) intr. 5 (afterwards cited as *Seneca*).

³⁷⁵See Rudich, V., *op. cit.*, 10.

Caligula's reign, either because of his association with the *Seianiani* at the moment when Tiberius turned against them³⁷⁶, or because Caligula felt jealous of his oratorical talents³⁷⁷. Whatever the case, Seneca decided to abandon his forensic activity, just at the time that the influential Cn. Lentulus Gaetulicus was executed for treason, in 39, and Caligula's sisters, Agrippina and Julia Livilla, were punished as his associates and sent into exile to the Pontian islands, just off the west coast of Italy³⁷⁸.

An anecdote preserved by Dio (59.19.7) suggests that Seneca escaped the death sentence at the same time only after the intervention on his behalf of an unspecified "female associate"³⁷⁹, who persuaded the despot "that Seneca had consumption in an advanced stage and would die before a great while". Seneca's talents and approach could have led to him being regarded as an unscrupulous careerist of the *pauci et validi* stamp by his respectable peers, but their disdain was to be shortlived, since it was also around the same time that he decided to abandon speaking in public and concentrate more on his philosophical writings. It is not certain whether the main reason for this was because his weak chest had made speaking publicly too much of an effort or that he realised, like his father (*Controversiae* 1, pref.7), that the virtual monarchy by which Rome was governed had diminished the importance of

³⁷⁶For Seneca's close connections with the imperial family and events following the fall of Seianus, see Griffin, M., *Nero: The End of a Dynasty* (London: B.T. Batsford, 1984) 70 (afterwards cited as *Nero*).

³⁷⁷Bauman, R.A., *Impietas in Principem* (Munich: C.H. Beck'sche Verlagsbuchhandlung, 1974) 135-136, gives a full exposition of Caligula's vaunted reputation as a forensic orator. Bauman suggests that Seneca had overridden a *responsum* of Caligula's, and in the light of that emperor's claim to *divina maiestas*, it is quite possible that the charge was based on the *neque fas infringere dicta eius* rule laid down by Tiberius in respect of the *responsa* of *Divus Augustus*.

³⁷⁸Griffin, M. *Seneca*, 52, puts forward an attractive suggestion that Seneca and his friend Lucilius may have sought the patronage of Gaetulicus, who was a writer of history and poetry (Suet. *Cal.* 8; Pliny, *Ep.* 5.3,5; Sid. Apoll. *Ep.* 2.10,6). Seneca praised the loyalty of Lucilius to himself during the time of his own exile, as well as to Lucilius at his time of peril.

³⁷⁹Stewart, Z., "Seianus, Gaetulicus and Seneca," *AJP* LXXIV (1953) 84, puts forward the view that the woman who helped to save Seneca's life was a courtesan; Griffin, *Nero*, 71, says she was one of Caligula's mistresses.

oratory as a source of power or a form of public service³⁸⁰. Having narrowly escaped the dangers of life under Caligula, however, Seneca was to face an equally perilous sentence from the senate and exile under Claudius.

SENECA'S RELEGATIO

The exact date of Seneca's *relegatio* is uncertain, but it was probably sometime between the summer and autumn of 41 (Dio 60.8). Earlier in the same year Caligula's two sisters, Agrippina and Julia Livilla, had been recalled from exile and their property was restored to them as part of Claudius' general amnesty for exiles. A *terminus post quem* is postulated for the end of February because Julia would have had to have been back in Rome long enough for the allegation of her "adultery" with Seneca to have gained ground, as far as Valeria Messalina's plan was concerned³⁸¹. Dio (60.8.4-5) states that the main reason for the accusation against Julia Livilla was because Messalina was jealous of her. Claudius' younger niece, who was about twenty-three years old, did not bother to flatter or revere Messalina. Julia's other "faults" were that she was extremely beautiful and met frequently - and alone - with the Emperor. Perhaps more importantly, the historian Josephus informs us that Julia's husband, Vinicius Quartinus, had often been mentioned as a successor to Caligula after the latter's assassination (*Ant. Jud.* 19, 53-54). This last consideration may have provided a sufficient argument for the jealous and vindictive Messalina to persuade Claudius to exile Julia once again and promptly have her put to death³⁸². We are left none the wiser by Suetonius' account, in which he speaks

³⁸⁰See Griffin, M., *Seneca*, intr. 7, and *Seneca*, Costa, C.D.N. ed. (London: Routledge, 1974), 8.

³⁸¹See Griffin, M., *Seneca*, 59 n5.

³⁸²*PIR*, J 444. We know that, unlike her exiled predecessors, the daughter and granddaughter of Augustus, Julia was allowed to be buried in the first emperor's mausoleum, but the action was not permitted until after Messalina's death, which clearly points to the hand of Agrippina influencing her new husband, Claudius. See *Documents Illustrating the Principates of Gaius, Claudius and Nero*, ed. Smallwood, E.M. (Cambridge, 1967) No 87.

only of Julia and states that her banishment was the result of *crimine incerto* (*Claud.* 29)³⁸³.

Seneca's name has been linked with the offences supposedly committed by Julia³⁸⁴, but there is no firm evidence to indicate that the two were tried by the same court³⁸⁵. It is also far from certain that the charge against Seneca was specifically one of adultery. By the time Claudius had come to power, the use of an adultery charge to dispose of potential rivals or enemies, whether innocent or not, had become almost commonplace. Dio (60.8) relates that Seneca was tried in the Senate before the Emperor on a charge of adultery. The Scholiast on Juvenal (5.109), however, uses the less exact expression of *quasi conscius adulteriorum Iuliae*, which suggests that the charge was only that of guilty knowledge of Julia's adulteries. Seneca was to identify greatly with Ovid during his time of exile and, here, one senses the spectre of the poet, who also insisted that he had committed no crime which could warrant his exile. The crucial word in the phrase is the plural *adulteriorum*. If the charge described had been adultery, the singular *adulterii* or a different phrase would have been used. *Adulteria* is used often in Cicero and elsewhere to mean "loose morals" or "immorality" and its later use may not be anything more than a convenient catch-all for those who had fallen out of favour and an excuse for emperors to get rid of anyone deemed inimical to their rule³⁸⁶. In fact, none of the four sources, Tacitus, Dio, Suetonius or the Scholiast on Juvenal, openly states that

³⁸³Bauman, R.A., *Women and Politics in Ancient Rome* (London: Routledge, 1992) 169, suggests that Julia was condemned without being charged.

³⁸⁴Though not by Suetonius who neglects to mention Seneca at all in connection with the accusations against Julia. See Meise, E., *Untersuchungen zur Geschichte der Julisch-Claudischen Dynastie* (Munich, 1969) 72, who argues that the charge of adultery was simply a synonym for "political linkage". With *prima facie* evidence of adultery in his hands, an accuser had access to the evidence of the defendant's slaves and might hope to uncover something more serious known to the domestic slave.

³⁸⁵It is recorded that Claudius intervened during Seneca's trial before the senate and saved his life, but there is no record of Julia appearing before the senate. One theory is that she was dealt with by Claudius himself, holding court in the palace. See Bauman, R.A., *op. cit.*, 170.

³⁸⁶See Stewart, Z., *op. cit.*, 84.

Seneca was guilty of adultery³⁸⁷. Dio (60.8.5) also mentions that other accusations were made against Julia. He gives no indication of what they were, but it is quite possible that these were trumped up by Messalina in order to make sure she achieved her goal.

Seneca himself tells us nothing about the reason, just or unjust, for his exile, but within his *consolationes* to his mother Helvia and Claudius' freedman secretary, Polybius, there is a strong suggestion that Seneca believed himself to be the innocent victim of an unjust charge. His use of the word *iustitia* in his address to Polybius may be viewed as a protest at unfair treatment, and Tacitus' placing of the phrase *iustissimum exilium* in the mouth of the reviled Publius Suillius Rufus is also significant (*Ann.* 13.42). There were also Seneca's comments in his treatise on the steadfastness of the wise man, where he stated that so many kinds of insult were at the disposal of those who wanted to do one down that it could be achieved by means of a paid accuser or a false accusation or by making the victim hated by the powerful or by whatever other cunning tricks can be thought up in a peaceful society.³⁸⁸

What is highly significant about the charges against Seneca is that the senate voted for conviction and the death penalty (*Ad Polyb.* 13.2). This excessive demand was the result of imperial precedent that exceeded the scope of Augustus' original *lex Iulia de adulteriis coercendis*. The normal penalties for crimes connected with adultery have already been mentioned in the chapter

³⁸⁷Ferrill, A., "Seneca's Exile and the *Ad Helviam*: A Reinterpretation", *Classical Philology* 61 (1966) 254 and 257, states it is possible Seneca was not guilty of adultery at all; and Griffin, *Seneca*, 60, argues that Seneca's guilt cannot have been manifest because the *consolatio* on his exile addressed to his mother presupposes a claim of innocence and however insincere he might have been, Seneca "would not have chosen to be ludicrous"; *contra* Rudich, V., *op. cit.*, 261, who says Seneca seems to have obliquely recognized his guilt in the *Ad Polybium* (especially in 13. 2ff), and Abel, K., *Bauformen in Senecas Dialogen* (Heidelberg, 1967) 105, also allows for the possibility or even probability of his guilt, from a reading of the same section of the *Ad Polybium*.

³⁸⁸See Sorensen, V., *op. cit.*, 112.

on Augustus, but it was that emperor's action in punishing the lovers of his own daughter, Julia, with the *aquae et ignis interdictio*, instead of *relegatio* (*Ann.* 3.24) that had left the way open for the senate to punish defendants more severely if it chose to do so. The senate's decision to vote for the death penalty in Seneca's case, however, showed exceptional severity. Previously, only political trials had resulted in such a punishment being decreed. The proposal would have been more understandable had the charge been one of *maiestas*, but Claudius was supposed to have suspended that law at the start of his principate (Dio 60.3)³⁸⁹, and even when *maiestas* had been appended to adultery charges in the past, the senate was often directed to deal solely with the indictment for adultery.

By close contact with members of the imperial family such as Agrippina and Julia, Seneca had sought to align himself with the minority faction at Claudius' court, a situation borne out by the fact that it was Agrippina who managed to persuade her uncle to lessen the sentence passed on Seneca and brought about his eventual recall. When one considers such leanings of Seneca, it is not beyond reason to speculate that Messalina had been working behind the scenes so that a demand for the death penalty was effected in the senate³⁹⁰. A similar occurrence is recounted by Suetonius, who reveals that Messalina persuaded the detested informer Publius Suillius Rufus to accuse Asiaticus, whose parks she wished to acquire, of being implicated in the murder of Caligula, as well as for immorality³⁹¹. This is where the missing books of Tacitus' *Annals* for the first six years of Claudius' reign are a significant loss,

³⁸⁹See Brunt, P.A., "Did Emperors ever Suspend the Law of 'Maiestas'?" *Sodalitas: Scritti in onore di Antonio Guarino, Bibl. Labeo* 8 (1984) 469ff.

³⁹⁰See Kamp., H.W., "Concerning Seneca's Exile", *Classical Journal* 30 (1934-35) 104; and see Campbell, R. tr., *Seneca: Letters From a Stoic* (London: Penguin translation 1969) intr. 8, who states that Messalina "considered him dangerous".

³⁹¹The charges eventually led to Asiaticus killing himself. See Sorensen, V., Glyn Jones, W. tr., *Seneca, the Humanist at the Court of Nero* (London: Canongate, 1984) 113.

since they would almost certainly have helped to shed light on the exact nature of the judicial proceedings³⁹². But we do know that it was only because of the intercession of Agrippina, a favourite of her uncle, that Claudius showed mercy towards Seneca. The emperor followed the letter of the Augustan law as far as cases of adultery were concerned and the death penalty was commuted to the standard legal punishment of *relegatio*: *deprecatus est* [Claudius] *pro me senatum, et vitam mihi non tantum dedit, sed etiam petiit* (*Ad Polyb.* 13.2-3)³⁹³. Consequently, Seneca was exiled to Corsica.

LIFE ON CORSICA

One of the principal islands in the Mediterranean, Corsica - or Cynus as it was known in ancient times - is situated to the north of Sardinia. It is about 100 miles long and 46 miles in length at its widest. It is occupied by a range of lofty and rugged mountains and its terrain rendered it one of the wildest and least civilized portions of southern Europe. Theophrastus (*Hist. Pl.* 5.8.1,2) called the island "savage", while Strabo (5.224) spoke of the inhabitants of the mountain districts as "wilder than the very beasts". Even in the time of Augustus, Strabo (*ibid.*) describes the mountain tribes as subsisting principally by robbery and plunder, while the Roman governors would, from time to time, make an attack upon their camps and carry off a number of prisoners whom they would sell as slaves. The low grounds on the east coast were notoriously swampy and unhealthy, a fact to which Seneca alludes in the *Ad Helviam*, but the greater part of the island was free from malaria, the chief cause of illness in ancient times.

³⁹²Syme, R., *Tacitus*, 259, laments how much of value perished with the loss of this section of the *Annals*, and describes Claudius, as depicted as Tacitus, as "little better than a puppet figure, except for what he did during his censorship".

³⁹³Bauman, R.A., *op. cit.*, 177, puts forward the view that Claudius employed the *accusatio adulterii* as a substitute for the *crimen maiestatis* in the first year of his reign, when he relegated Julia and Seneca.

Although Seneca complains about conditions on Corsica, mainly in the *Ad Helviam*, the island had been inhabited by various peoples for hundreds of years. Seneca erroneously explains (*Ad Helviam* 7.8) that the first attempt to colonise the island was made by Greeks, who, he states, had initially travelled from Phocis. They had actually come from Phocaea in Asia Minor (Herodotus 1.165ff) and settled first in Massilia and then set out for Corsica, but half the contingent changed their minds and went back. The Phocaeans who went on lived in Corsica for five years and had hoped to establish a colony at Alalia (Aleria) around 565 BC, but they eventually left in consequence of attacks from the Carthaginians and Etruscans³⁹⁴. Corsica became a Roman colony, together with Sardinia, after the First Punic War of 238 BC, but further campaigns were necessary before Roman power was consolidated and the new province of Sardinia-Corsica was formally organised³⁹⁵. The Romans who had originally been transported to Corsica by Marius and Sulla stayed mainly in the large colonies of Mariana and Aleria, which the two commanders had respectively founded, on the east coast - and they were regarded as foreigners by the indigenous population. No other cities are mentioned in the Corsican section of Pliny's survey of Roman provinces and only a single road - the east coast one - is mentioned in the Antonine Itinerary³⁹⁶. Rome kept a watchful eye on the interior of the island - and on any exiles detained on Corsica³⁹⁷ - from the

³⁹⁴The island came under Etruscan influence less than 30 years later, and the Etruscans are believed to have founded Nicaea, perhaps on the site that was to become the colony of Mariana. They were followed by the Ligurians and then the Spanish. Reminders of these first settlers were seen in the same head-coverings and footwear as the Cantabrians used, as well as some similarities of language, although the Greek and Ligurian languages had lost their native character according to Seneca (*Ad Helv.* 7.9).

³⁹⁵Even then, its annexation did not mean that the whole island fell under the influence of Roman culture and customs. The mountainous interiors of both islands remained untamed and Roman armies had to make continued forays to quell revolts until the end of the second century BC. The brigandage carried on in Sardinia and was not stamped out until the early empire.

³⁹⁶Talbert, R.J.A. ed., *Atlas of Classical History* (London: Croom Helm, 1985) 52.

³⁹⁷Gibbon, E., has described in *The History of the Decline and Fall of the Roman Empire Vol IV* (London: Methuen, 1909ed.) 91ff, how the island was used, along with Sardinia, as a place of exile for centuries, down to the time of the persecution against the Catholics by the Arians in the sixth century

garrison at Praesidium, as well as the important detachment of the Misenum fleet, which was stationed in the sheltered lagoon of Portus Dianae.

It has been said that, like Ovid, Seneca departed unaccompanied to Corsica³⁹⁸. Such a projection of Seneca going into exile as a solitary figure would have served the purpose of conveying a sense of pathos in a similar fashion to the way in which Ovid evoked sympathy for his situation. Indeed, scholars have remarked on many occasions how closely Seneca compared his own experience to that of Ovid's in Tomis. However, there is no firm evidence to suggest the manner in which Seneca went into exile. It is generally believed that his first wife did not accompany him. She is definitely not mentioned in the exilic works and her whereabouts at the time of Seneca's banishment remain a mystery. It is quite possible, however, that others, such as slaves or attendants, may have accompanied Seneca to Corsica.

There is also the evidence in a poem of Martial (7.44.10) that a close friend remained loyal and may have spent some time in exile with Seneca, although it is uncertain whether he accompanied the philosopher to Corsica or merely visited him at his place of banishment on a later date³⁹⁹. This person was Caesonius Maximus, who, if properly identified with Tacitus' Caesennius Maximus (*Ann.* 15.71), was accompanied into his own exile, in the aftermath of the Pisonian conspiracy, by an equally loyal friend, Q. Ovidius⁴⁰⁰. Caesennius is said to have been particularly close to Seneca, who speaks of him with affection (*Ep.* 87,2)⁴⁰¹. Another friend who distinguished himself through his

³⁹⁸Lana, I., *Lucio Anneo Seneca* (Torino: Biblioteca di Filologia Classica, 1955) 73.

³⁹⁹Kamp, H.W., "Concerning Seneca's Exile", *Classical Journal* 30 (1934-35) 104, believes Maximus did accompany him into exile.

⁴⁰⁰See Griffin, M., *op. cit.*, 62; Rudich, *op. cit.*, 125; and Braginton, M.V., *op. cit.*, 399.

⁴⁰¹Yet Duff, J.D., *op. cit.*, xxxiv, makes the valid comment that in neither treatise from exile does Seneca mention any companion and, for all that we gather from his words, "he might have been as solitary as Robinson Crusoe".

steadfastness, though he is not recorded as having accompanied Seneca into exile, was Lucilius Junior, to whom Seneca's latest works were dedicated. It is recorded that Lucilius remained a friend at the time of Seneca's exile when even the dangerous enmity and machinations of Narcissus and Messalina could not affect his loyalty (*Naturales Quaestiones* 4a, praef. 15)⁴⁰².

How, then, did Seneca find the experience of exile, especially since it is almost certain that he would have fully borne in mind the plights of Cicero and Ovid? It is a question which can only be answered by investigating very closely the remarks Seneca makes within the two *consolationes* written on Corsica. This statement is less obvious than it might appear since one must consider that although the *Ad Helviam*, in particular, is concerned centrally with the subject of exile, the amount of information Seneca gives to the reader regarding his own banishment is quite limited. Initially within the *Ad Helviam*, Seneca attempted to follow the principal philosophical theory that exile was merely a change of place, *loci commutatio*, and that it was possible for the Stoic sage to find contentment wherever he might be. He declared that he had no use for money, political office, or influence, and that exiles, no matter where they were sent, could take their virtues with them, and they would encounter the same *rerum natura* in banishment as at home (*Ad Helviam* 8.1-2). On concluding this well-constructed *consolatio* to Helvia, he stated that he was as happy as he had ever been and scholars tended to accept Seneca's words at face value for many years⁴⁰³, but closer investigation shows the exile was not quite as happy as he suggested⁴⁰⁴.

⁴⁰²See Stewart, Z., *op. cit.*, 84.

⁴⁰³See Ferrill, A., *op. cit.*, 254 and 256n.; Kamp, *op. cit.*, 105, describes Seneca as initially bearing his lot with a "rather courageous and hopeful attitude".

⁴⁰⁴Ferrill, A., *op. cit.*, 254, speaks of "strong and compelling reasons to believe that Seneca was not at all sincere and indeed he meant just the opposite of what he said"; Scramuzza, V.M., *The Emperor Claudius* (Harvard: Harvard University Press, 1940) 5, says Seneca was "soon giving way to melancholy and overpowered with loneliness for home and friends and the brilliant life of the capital"; Griffin, M., *Nero: The End of a Dynasty* (London: B.T. Batsford, 1984) 71, talks of Seneca enduring

Seneca's statement that, as a banished person, he had no need for money is obviously exaggerated and merely follows the precept that a Stoic philosopher should not be overly concerned about worldly goods. Unfortunately, the sources cannot shed much light on the genuine state of his financial affairs at the time of exile. As a *relegatus*, he should officially have had half his property confiscated (Paul. *Sententiae* 2.26,14), however Seneca's own words are not clear on this matter. At one point he says: *intellego me non opes sed occupationes perdidisse* (*Ad Helv.* 10.2), but this is not precise, since separation from one's fortune, not actual confiscation, could be implied. Earlier, he refers to loss of *pecunia* (*ibid.* 5.4)⁴⁰⁵. Although Claudius had intervened to save Seneca from the death penalty, it would probably be unwise to believe he would have also waived the financial penalty that accompanied *relegatio*, particularly when one considers that Claudius seems to have been following precisely the letter of the adultery law with regard to the correct punishment and that he chose to relegate Seneca to an island and not just beyond a certain boundary. Following the official line for punishment under the *lex Iulia de adulteriis coercendis*, the *relegatus* would also have retained his civic rights as a Roman, unlike the lovers of Augustus' daughter who had suffered the *aquae et ignis interdictio*. Therefore, it seems safer to follow the argument which suggests that Seneca lost half his property in 41 and had some, or all, of it returned to him on his recall in 49⁴⁰⁶.

It is similarly uncertain whether or not Seneca was the recipient of an allowance while in exile, but he does allude to the changed state of affairs for

"eight long years on the island of Corsica"; Rudich, V., *op. cit.*, 10, also describes "eight long years in exile".

⁴⁰⁵See Burriss, E.E., *Seneca in Corsica* (New York: 1922) 25, on the uncertainty as to whether or not Seneca's property was confiscated.

⁴⁰⁶See Griffin, M., *Seneca*, 288; *contra* Braginton, *op. cit.*, 396.

banished persons when he writes: *Me quidem, quotiens ad antiqua exempla respexi, paupertatis uti solaciis pudet, quoniam quidem eo temporum luxuria prolapsa est, ut maius viaticum exulum sit, quam olim patrimonium principum fuit* (*Ad Helviam* 12.4). The *viaticum exulum* was an established feature of exile by Seneca's time and it provided the finance to procure food and other means of existence. It might well have been greater for those banished in Seneca's day, but he does not clearly state whether he benefited from it personally, though his mention of it has been inferred by some as suggesting that he was not badly off for attendance and comforts in exile⁴⁰⁷. There is evidence in the *Ad Helviam* to suggest that Seneca's family were well-off (*locupletibus filiis: ibid.* 14.17) and if they were permitted to send him money and goods, there seems little reason to doubt that they would have done so. Considering the presence of the two Roman colonies on Corsica and the frequency with which merchant ships might have arrived at the island to bring supplies and correspondence, such succour could have been delivered on a regular basis.

Following Ovid's example, Seneca does his best to foster an image of himself as a lonely individual in exile and he omits the names of any other people whom he might have met on Corsica - yet he informs us that he was among other exiles when he arrived on the island (*Ad Polyb.* 13.3). Apparently, many of these were later restored by Claudius, some presumably to witness the triumph of 44 in Rome for Claudius' successful campaign in Britain. Although Seneca might have exaggerated the number of exiles recalled from Corsica in order to emphasize the emperor's *clementia*, it would probably not be wrong to assume that there were other exiles there. If such a situation existed, it would

⁴⁰⁷Duff, J.D., *op. cit.*, 272.

not be unreasonable to suggest that Seneca might have spent time socially with them, even though he does not allude to it within the texts.

As for his place of exile, Seneca tries to exact as much pathos as possible from his calamity by comparing Corsica to Gyaros, Sciathos, Seriphos and Cossura (*Ad Helviam* 6.4-5)⁴⁰⁸. As seen in the previous chapter, Gyaros was little more than a waterless rock which was used only in the most severe cases of banishment. The other three islands can be counted as equally inhospitable. Corsica, on the other hand, may have been a rugged, mountainous island, but it did contain two well-established colonies on its east coast. If Seneca spent his exile in one or other of the colonies, he would probably have had access to proper amenities and supplies. We may also conjecture that, as with the exiles mentioned above, he may similarly have had the opportunity of associating with Romans who had settled in the colonies, as well as other Latin-speaking island dwellers. However, it is incumbent upon Seneca to convey two almost diametrically opposed views of his plight. The first is the philosophical argument that exile is merely a *loci commutatio*, the second is directly related to his own personal situation in that his own place of exile is the worst island to which anyone could be banished. He brings together these views by commenting that even in the worst places of exile one can find people who have willingly ventured to such locations. He goes so far as to state: *Quid tam nudum inveniri potest, quid tam abruptum undique quam hoc saxum? Quid ad copias respicienti ieiunius? Quid ad homines inmansuetius? Quid ad ipsum loci situm horridius? Quid ad caeli naturam intemperantius?* (*ibid.* 6.5). By juxtaposing such rhetorical questions with the islands mentioned, he is suggesting that life on Corsica is worse than anywhere else. It is clearly part of a rhetorical exercise. At one and the same time, he is indicating - in the

⁴⁰⁸Cossura is a small island near Malta; the others mentioned are small, isolated islands in the Aegean Sea.

tradition of the Stoics and those who viewed exile as inevitable under a despotic regime - that exile should not be considered in the traditional way as a sentence carrying great shame, but he also seeks to show that the place where he is exiled is the worst place possible and he wishes to leave it. As if that were not bad enough, he states that the majority of the people who live on the island are foreigners. Later in the same *consolatio*, Seneca undercuts his own comment on the island's deficiencies when he remarks: *Nullum ergo paupertas exulis incommodum habet; nullum enim tam inops exilium est, quod non alendo homini abunde fertile sit* (*ibid.* 10.15-17)⁴⁰⁹.

There is no indication as to the type of accommodation that would have been available to Seneca on Corsica. However, if one bears in mind the island's warm climate and the presence of Roman colonies, the domiciles would in all probability have borne more than a passing resemblance to those he had left behind in the capital. Sorensen conjectures that when Seneca writes of "the wise man's house which is open to all except fortune, he may have been thinking of his own more modest surroundings in Corsica, for otherwise he did not live in small houses"⁴¹⁰. Yet there is nothing in the exilic texts to indicate whether Seneca did or did not live in "modest surroundings in Corsica". Sorensen's comment may have been prompted by Seneca's rhetorical remark about the exile, compelled to live in a hut, being able to console himself by recalling that the legendary, sacred dwelling of Romulus had been just as humble. Once again, our lack of information on Seneca's financial situation leaves us unable to state firmly whether he lived comfortably in a villa-type residence or in a much smaller abode.

⁴⁰⁹As Duff, J.D., *op. cit.*, 77, drily comments: "It is hard for a rhetorical writer to be consistent."

⁴¹⁰Sorensen, V., *op. cit.*, 112-113.

OVID'S INFLUENCE ON SENECA IN EXILE

Seneca's debt to Ovid is clearly seen when he makes his "outrageously false statements about the climate of Corsica"⁴¹¹ as well as the number of uncivilised people living there (*Ad Helviam* 6.5). Seneca's complaints about the badness of the weather confirm the suspicion that this is more a trope of exilic writing mentioned solely to evoke sympathy in his reader, rather than based on any reality. It merely shows that he knew what was expected of a literary exile who always had the thought of recall on his mind in the same way that Ovid's lack of comment about the Black Sea summer weather did not necessarily indicate that he never went to Tomis⁴¹². It is surprising that, although Seneca highlights the supposed badness of the weather and other trials of exile, he does not play particularly on the genuine weakness of his health in the same way Ovid did. It has been recorded that as a sickly young man, Seneca moved to Egypt for relief from asthma⁴¹³ and it has been suggested that his weak chest may have always made speaking in public an effort⁴¹⁴. If he could readily disguise the truth about the weather in Corsica, it is hard to fathom out why did he not elaborate at some length on his frail physical state in order to evoke sympathy and add weight to his implicit plea for a recall. Connected with the latter consideration is Seneca's silence about the type and quantity of food available to him on Corsica. However, there may be two reasons for this: first, if he were based in one of the Roman colonies, the food would have probably been quite familiar to him, and, secondly, his own diet is recorded by Tacitus as being remarkably

⁴¹¹Pierini, R., "Echi delle elegie ovidiane dall'esilio in Seneca," *Studi Italiani di filologia classica* 52 (1980) 127.

⁴¹²See Rich, J. and Shipley, G. ed., *War and Society in the Roman World* (London: Routledge, 1993) 114-115.

⁴¹³See Curchin, L.A., *Roman Spain Conquest and Assimilation* (London: Routledge, 1991) 81; Watling, E.F. tr., *Seneca: Four Tragedies and Octavia* (London: Penguin, 1966) intr. 13, suggests that Seneca's ill-health was probably tuberculosis.

⁴¹⁴See Costa, C.D.N. ed., *op. cit.*, 8.

simple: *persimplici victu et agrestibus pomis vitam tolerat* (*Ann.* 15.45.6); and *corpus parco victu tenuatum* (*ibid.* 63.5)

Seneca's account of life in Corsica also omits any geographical detail with regard to an identifiable place or area which would have constituted his immediate location - we are only given the general impression of a lack of home comforts⁴¹⁵. If Seneca adopted the ancient philosophical view of true pleasure merely being the lack of discomfort, then his sentiments in missing out concrete description are easily understood. However, this does not take into account the reader, who is not allowed to witness the vicissitudes of an exile's existence. Although Ovid has been criticised for the inexactitude of his geographical account, one is afforded a firmer portrayal of his experiences as an exile, partly through descriptions of the local people and their movements. With Seneca, however, even that vaguely tangible element is missing and we are thus asked to consider the experience of exile in a much more abstract sense than through firm *exempla*.

If anything, Seneca attempts to draw a close parallel between his Corsica and Ovid's Tomis, yet there is little factual evidence to support such a comparison. Ovid described how the sea was stirred by immoderate winds and ships could find no calm harbours (*Tristia* 4.4.57-58) and the bare plains of his place of exile were without greenery or trees (*Tristia* 3.10.75): Seneca says Corsica lacks suitable harbours (*Ad Helviam* 7.8) and the land produces neither fruit nor shade trees (*Ad Helviam* 9.1). Ovid also remarks in one epistle that his addressee is worthy of receiving a gift of silver or gold from Tomis, but that there were no precious metals there (*Ex Ponto* 3.8.3,5): Seneca mentions that neither gold or silver are mined on Corsica (*Ad Helviam* 9.1). The reality was

⁴¹⁵See Gahan, J.J. "Seneca, Ovid, and Exile", *Classical World* 78 (1984) 145, who comments on the dearth of "out-and-out description" of Corsica.

somewhat different. Seneca's words directly contradict the accounts of Theophrastus and Pliny. The former states that the whole island was overgrown with trees (*Hist. Pl.* 5.8.2), while the latter ranks Corsica's fir trees as the best found anywhere (*Nat. Hist.* 16.197)⁴¹⁶. It is a similar story as far as the harbours are concerned, since Diodorus states that the island as a whole was "well-provided with anchorages" (5.13.3). Seneca's method in comparing Corsica to Tomis lacks refinement since he relies almost entirely on negative statements to convey his message. In fact, Seneca's entire purpose in comparing his plight with Ovid's clearly lacks subtlety. The philosopher was obviously trying to evoke sympathy among his large readership in Rome in much the same way as the Augustan poet had tried to do. The memory of Ovid's much-bewailed plight would doubtless have stirred the emotions of the leading cultural and literary figures in the capital, who may possibly have recognized the injustice apparent in both cases. Those who had genuinely lamented Ovid's sad demise may have found Seneca's situation similarly abhorrent. Naturally, Seneca wanted to be recalled more than anything else and his comments in the *Ad Helviam* about Corsica, no matter how exaggerated or dissimilar to Tomis as a place of banishment, were aimed specifically at achieving that end. His intention is intriguing, however, in that many Romans must have had at least some idea of what Corsica was like, owing to its proximity to Italy, yet he still sought to describe it in a very similar way to Ovid's account of Tomis. The only logical reason for such an exercise can be that Seneca was trying to articulate the experience of exile by projecting its lonely and disjunctive nature. Thus, the barren nature of the landscape is less of a description of Seneca's true environment and much more an articulation of his state of mind⁴¹⁷. That

⁴¹⁶Casson, L., *Ships and Seamanship in the Ancient World* (Baltimore: John Hopkins University Press, 1971) 4, cites Theophrastus in explaining how the Romans, in order to transport Corsican timber, made an enormous raft propelled by no fewer than 50 masts and sails. Gibbon, *op. cit.*, xxxvii, remarks on how Hunneric the Vandal, in AD 480, banished 46 Catholic bishops to the island to cut timber there for his navy.

⁴¹⁷See MacMullen, R., *op. cit.*, 66, who states: "The pains of exile were pains of the spirit often

Seneca suffered bitterly while in exile is indisputable, but, as Griffin points out: "No doubt Ovid's eight years on the Black Sea gave Seneca occasion for gloomy thought, but Corsica was no Tomis."⁴¹⁸

What we can glean from Seneca's writing in exile is that he initially acquitted himself with more philosophical resolution than Cicero. One simple answer to this may lie in the fact that he did not have to worry about where he was going as far as his exile was concerned - that had already been decided for him. Seneca would also have considered the example of Cicero's behaviour in banishment and would probably have done his best to avoid repeating the same mistakes in sending desperate letters home⁴¹⁹. One suspects that Seneca would have been more circumspect about his personal correspondence than Cicero was and, no matter what his private anxieties, he would probably have been careful to express his concern but equally as prudent not to appear frantically perturbed. The factually unsubstantiated, but probably valid, assertion has been made that Seneca was in constant touch with friends and relatives in Rome and bent all his efforts towards obtaining a recall⁴²⁰.

The provincial nature of the social life on Corsica, particularly after his intense activity in Rome, would eventually have become too much for Seneca to bear. He was forced to acknowledge by the explicit expression of his desire for a change of residence, in the *consolatio* to Polybius, that external factors did have a real effect on the apparent serenity that he had tried to demonstrate in the *Ad Helviam*⁴²¹. But even when Seneca apologizes to Polybius for the state of his troubled mind, for not having written as well as he might and for

supported in no great degree of discomfort."

⁴¹⁸Griffin, M., *Seneca*, 62.

⁴¹⁹See Griffin, M., *op. cit.*, intr. 3, on how much Cicero's letters to Atticus influenced Seneca.

⁴²⁰See Ferrill, A., *op. cit.*, 255.

⁴²¹See Andrews, A.C., "Did Seneca Practise the Ethics of his Epistles?", *Classical Journal* 25 (1929) 617-618.

the clumsiness of his Latin, he is invoking once again the memory of both Cicero and Ovid in another exilic trope⁴²².

Perhaps the only mistake that Seneca might have made was in the composition of a book sent from exile praising Messalina and Claudius' freedmen. Dio's account (61.10.2), as transmitted through an excerptor, is not clear. Though the extant *consolatio* to Polybius does not contain praise of Messalina, the identification with the work mentioned by Dio is hard to challenge. The opening chapters of the extant piece might have been lost early and they could have been flattering to Messalina. Dio's excerptor may have transmitted inaccurately some phrase of Dio's meaning that Seneca tried to suppress the work⁴²³. If Seneca had created such an abjectly sycophantic piece of writing, his anxiety about its further publication would have been perfectly understandable, especially when one bears in mind the fact that he had been recalled from exile through the influence of Agrippina, following the death of her court enemy, Messalina. Seneca's efforts to suppress such a publication, if it did exist, would probably have been proportional to Cicero's dismay that his less-than-measured letters from exile had been published without his authorisation.

SENECA'S EXILIC WRITING

Much of Seneca's time on Corsica would undoubtedly have been spent in philosophical contemplation and he writes to his mother that he has with him a library of philosophic books (*Ad Helviam* 1.2). Similar philosophical

⁴²²See Duff, J.D., *op. cit.*, 224, who compares Seneca's apology for his troubled mind with Cic. *Ad Att.* 3.7.3 where the state of Cicero's mind interferes, so he says, with his writing; also Gahan, J.J., *op. cit.* 145, on how Seneca's comments on the clumsiness of his Latin echoes Ovid's excuses in the *Tristia* and *Epistulae Ex Ponto*; and Abel, K., *op. cit.*, 91, on how Seneca's excuses create a literary *topos*.

⁴²³See Griffin, M., *Seneca*, 415.

contemplation later helped Boethius, though the writing of his *Consolation of Philosophy* was interpreted by Dante as a pretext to excuse "*la perpetuale infamia de suo essilio, mostrando quello essere ingiusto, poi che altro escusatore non si levava*"⁴²⁴. Seneca also must have felt that his exile was unjust and his philosophical attitude is in keeping with the ancient consolatory tradition whereby the exiled or bereaved person was advised to seek sublimation in literary studies⁴²⁵. Seneca's recourse to his philosophic library is in direct contrast to Ovid, who complains about the lack of books in Tomis (*Tristia* 3.14.37ff; 5.12.53ff). The emphasis on philosophical contemplation is greatest at the end of the *consolatio* where Seneca informs Helvia that he is as happy and cheerful as when circumstances were at their best. In fact, he feels a sense of release because he has the opportunity to ponder more abstract subjects, such as the nature of his own mind and the nature of the universe: *Sunt enim optimae, quoniam animus omnis occupationis expers operibus suis vacat et modo se levioribus studiis oblectat, modo ad considerandam suam universique naturam veri avidus insurgit* (*Ad Helviam* 20. 1-2). His thoughts may express the sense of trepidation he felt about being stranded on Corsica: *Terras primum situmque earum quaerit, deinde condicionem circumfusi maris cursusque eius alternos et recursus* (*ibid.* 2). His dislocation would almost certainly have caused his thoughts to wander to other places. The mention of the sea can also be interpreted as a reflection of his experience on Corsica, surrounded by water and probably based close to the coast. His earthly fears seem to be manifested in the words *Tunc quidquid inter caelum terrasque plenum formidinis interiacet perspicit et hoc tontribus, fulminibus, ventorum flatibus ac nimborum nivisque et grandinis iactu tumultuosum spatium* (*ibid.*). Seneca's depiction of his mind ranging between heaven and earth, from the lower spaces to the heights above is nothing less than an avowal of his

⁴²⁴Busnelli, G. and Vandelli, G. ed., rev. Quaglio, A.E., *Il Convivio* (Florence, 1964) 1: ii, 13-14.

⁴²⁵See Claassen, J-M., *op. cit.*, 65.

philosophical belief in spiritual freedom. The freedom his mind experiences is the antithesis of what he is feeling, trapped on his island. In many ways it is a sustained statement of defiance, particularly when he refers to the immortality of his mind: *Tum peragratis humilioribus ad summa perrumpit et pulcherrimo divinorum spectaculo fruitur, aeternitatis suae memor in omne quod fuit futurumque est vadit omnibus saeculis (ibid.)*. Even though Seneca purports to be addressing his mother, his language at the end of the *consolatio*, with its implicit comparison between his own situation and the sense of vastness that incorporates heaven and earth, projects a strong image of solitude. In many ways, it is similar to the realisation of *anachoresis*, the state of total physical and spiritual solitude, which was deemed possible only by the complete removal of the self from society to the perfect solitude of the *eremum*, the hermitage, to achieve spiritual progress and contemplative union with God⁴²⁶.

It is significant that Seneca's eight-year span in exile seems to have produced only two pieces of work that remain extant, the *consolationes*. This has naturally led to some scholarly speculation throughout the centuries on the exact dates for some of Seneca's other works, particularly his dramas, and it has been suggested that their composition may have occurred while Seneca had time on his hands in exile⁴²⁷, though the view has also been expressed that the writing of plays was perhaps more of "a metropolitan activity" that required "the stimulus of public applause"⁴²⁸. Scholars have also held the belief that the lengthy treatise *De Ira* must now have been in progress⁴²⁹, with one even

⁴²⁶See Lagos-Pope, M.-I. ed., *Exile in Literature* (London: Associated University Presses, 1988) 32.

⁴²⁷Costa, C.D.N. ed., *op. cit.*, 97, remarks: "They cannot be dated with any certainty, but it is not improbable that their composition diverted many an empty hour during the long years of Seneca's exile"; and Campbell, R. tr., *op. cit.*, 8, asserts that "the only solace for him in these eight long years of loneliness and near despair was the reception given to the poems, tragedies and essays to friends which he continued composing during his banishment".

⁴²⁸Nisbet, R.G.M., "The Dating of Seneca's Tragedies with Special Reference to *Thyestes*," *Papers of the Leeds International Latin Seminar* 6 (1990) 97.

⁴²⁹See Griffin, M., *Nero*, 71; and Cooper, J.M. and Procope, J.F. eds. and tr., *Seneca: Moral and Political Essays*, (Cambridge: CUP, 1995) intr. xiii, who holds that, on Corsica, Seneca wrote "much, perhaps all, of *On Anger*". Cooper adds: "It seems reasonable to suppose that his (lost) life of his father

venturing to suggest that the work was completed before the *Ad Helviam*⁴³⁰. There can be no definitive answer to these theories, but Seneca's long absence from Rome would certainly have fuelled the thoughts of a dramatist and, without doubt, those of a philosopher.

Linked to the question of composition is the mystery of "Seneca's Epigrams", supposedly written by the exile while on Corsica, but now refuted as Seneca's work by scholars. Commentators throughout the ages originally considered that the poems broadened the sense of Seneca's isolation with their depiction of the island as *Corsica terribilis*, as well as Seneca's portrayal of himself in Ovidian terms as existing among the living dead with a profound sense of loneliness: *Hic sola haec duo sunt: exul et exilium* (*Epigr.* 3). Centuries after the philosopher's banishment, the poems led to an attack on Seneca by Gibbon, who wrote of "the base and insipid epigrams of the Stoic, who could not support exile with more fortitude than Ovid. Corsica might not produce corn, wine, or oil; but it could not be destitute of grass, water, and even fire"⁴³¹. The truth is that the epigrams were the work of a later sympathetic writer who sought to add more pathos to Seneca's works from exile in much the same way that Ovid was erroneously credited with writing the *Consolatio ad Liviam* while he languished in Tomis.

Of the three renowned Romans whose writings from exile remain extant, Seneca's true reaction to his punishment is perhaps the hardest to gauge, but that consideration is in keeping with the general tenor of his writing⁴³². The fact that he is accused of hypocrisy by the ancient sources

was also written then, and that some of his poetry (epigrams, conceivably some of his tragedies) had appeared by the time of his recall."

⁴³⁰Kamp, H.W., "Seneca's Marriage," *Classical Journal* 32 (1936) 529.

⁴³¹Gibbon, E., *op. cit.*, 92 n.99.

⁴³²Griffin, M., *Seneca*, 1, makes the point that "it is not merely Seneca the statesman that his works fail to reveal - it is Seneca the man".

(*Ann.* 13.42, 14.52-3; Dio 61.10.3) should be a warning to any reader. For example, he ends the *consolatio* to his mother by declaring that he is happy, yet undercurrents of strain have certainly been detected in the *Ad Helviam*, with its references to calamities, constant misfortunes and recent wounds (*Ad Helviam* 2.3; 3.1). Then there are the glaring differences of thought in the *consolatio* to his mother and the one to Claudius' freedman Polybius, who was a *libellis* to the Emperor.

What of the quality of Seneca's exilic writing? The philosopher would have realised that he was adding to a growing tradition of writers on exile, which had started with Teles in the third century BC, but, more importantly, had included the famous examples of Cicero and Ovid. Seneca was acutely aware that his *consolationes* were going to reach a far wider audience than his named recipients - it was his intention that this should be the case. He was literally keeping the minds of those in Rome alive to his situation, commenting on it, and ultimately hoping that his description of his circumstances would lead to a recall. As such, it is hardly surprising that the *consolationes* Seneca wrote in exile have been considered "outstanding as interesting survivals in Latin prose of a literary genre that was better known to the Greeks"⁴³³. The *Ad Helviam*, which was almost certainly written earlier than the *consolatio* to Polybius, shows much of the reasoning for which the philosopher was revered⁴³⁴, and it is without doubt the most original and personal of the three *consolationes* Seneca wrote⁴³⁵.

⁴³³Basore, J.W. tr., *Seneca: Moral Essays* (London: Heinemann Loeb Classical Library, 1979 ed.) intr. vii. Only a few fragments remain of Cicero's own *consolatio* on the death of Tullia.

⁴³⁴See Ferrill, A., *op. cit.*, 255, who calls it "the most perfectly organized of all his philosophical treatises"; Watling, *op. cit.*, 13, describes it as "one of his most sincere and likeable compositions".

⁴³⁵See Bellemore, J., "Dating Seneca's *Ad Marciam*," *Classical Quarterly* 42 (1992) 220, who credibly refutes any notion that the third *consolatio*, the *Ad Marciam*, was written during or after his exile: "Although in the work, Seneca mentions the hardships of exile, he does not refer this sort of hardship to himself, and his almost sophisticated ease in mentioning such matters suggests that he has not yet felt the harsh reality of official conviction and relegation"; see also Currie, H. Macl., *The Younger Seneca: Selected Prose* (Bristol: Bristol Classical Press, 1978) 4.

The *Ad Helviam* has some unusual characteristics. In the first place, it was written a comparatively long time after Seneca went into exile - at least a year, possibly longer (*Ad Helviam* 1.2; 2.5)⁴³⁶. The purported reason for the lengthy delay is that Seneca had to conquer his own grief before trying to console his mother. He also states that he did not want to remind her of her misfortunes while they were still uppermost in her mind. He uses the simile of all his relations having been prostrated by the blow of his exile, as if they were soldiers lying wounded on a battlefield (*Ad Helviam* 1.7). If the principal victim is the first to rise, his example will encourage the others to do likewise. The *consolatio* provides a rare insight into Seneca's own family which immediately puts the reader in mind of Ovid's autobiographical poem, *Tristia* 4.10. We learn that Seneca's father was dead, that Seneca was married and had lost a son just one month before he was banished⁴³⁷. Even more usefully for this study, it discusses at some length the nature of exile itself and shows how some illustrious figures from Rome's past dealt with it.

At the beginning of the *consolatio*, Seneca reveals that he has been pursuing his early interest in natural history and, more importantly, reading through all the works that the most famous writers had composed for the purpose of repressing and controlling sorrow (*Ad Helviam* 1.2). These would have included such works as those of Crantor, an Academic philosopher of the fourth century BC, who gave the genre of consolatory writing its definitive form in his famous letter to his friend Hippocles on the death of his children. Cicero (*Academica* 2.135) praises the work and makes use of it in the *Tusculan*

⁴³⁶See Ferrill, A., *op. cit.*, 254, and Griffin, M., *Seneca*, 396; Holland, F., *Seneca* (London: Longmans, 1920) 36, is alone in suggesting the *consolatio* was written "after an interval of six months from his arrival".

⁴³⁷Griffin, M., *Seneca*, intr. 2, makes the point that, although the work comes closest to offering a rare description of Seneca's family, only two are actually named, and that Seneca's biography of his father has been lost.

Disputations and his own *consolatio* on the death of Tullia, which Seneca would probably have read. But Seneca points out that he could not find one instance of a man offering consolation to his loved ones when he himself was the object of their sadness. This is substantiated by the evidence of the majority of surviving consolations by other authors which deal with bereavement after the death of a relative. Seneca's *Ad Helviam*, on the other hand, is seen as creating a precedent since it seeks to alleviate woe but deals specifically with exile rather than death⁴³⁸. It is worth considering, however, that even though he was writing to his mother in the manner of a *consolatio* whose form was normally associated with death, Seneca may have been taking the traditional view of the exilic genre that banishment itself was a form of living death. This is substantiated by his comments to his mother about her own grief when he states that, less than twenty days after Helvia had buried her grandson, she heard that Seneca was to be snatched from her. Instead of mourning the dead, she then had to face mourning the living: *Hoc adhuc defuerat tibi, lugere vivos* (*Ad Helv.* 2.14-15). This passage of the *consolatio* is curious in that Seneca describes his exile as the worst of the wounds that Helvia has had to suffer: *Gravissimum est ex omnibus, quae umquam in corpus tuum descenderunt, recens vulnus, fateor* (*ibid.* 3.1-2). It is an odd statement to make when one considers that he is placing his own plight above the deaths of other members of her family, but Seneca's intention may have been to demonstrate to others, who would have read the *consolatio*, the torment caused to his mother by his banishment. There is also the suggestion that Helvia's husband had reached a great age, making his death, as a natural event, no fit subject for sorrow⁴³⁹.

Applying the philosophical doctrines of previous exiles to his own predicament, Seneca argues that exile is not something to be ashamed of. It is a

⁴³⁸See Manning, C.E., *On Seneca's Ad Marciam* (Leiden: Brill, 1981) 12.

⁴³⁹See Duff, J.D., *op. cit.*, 232.

theme he touches upon in the *Ad Marciam* (20.2) when he points out that, though the eyes and minds of exiles are always turning towards their native land, death shows that it makes no difference beneath whose soil a man may lie. This view goes against the deeply ingrained thought that part of the disgrace of exile is inherent in the fact that one's bones will not rest within one's native soil⁴⁴⁰. It is also indicative of the changing attitude to exile in the later Julio-Claudian Dynasty. Indeed, within two sentences of the *Ad Helviam* he dismisses the disgrace that usually accompanies exile: *verbum quidem ipsum persuasione quadam et consensu iam asperius ad aures venit et audientis tamquam triste et execrabile ferit. Ita enim populus iussit; sed populi scita ex magna parte sapientes abrogant* (*ibid.* 5.11-14). The first sentence particularly picks up on the sense of disgrace someone such as Cicero keenly felt at being banished. It also conveys, by its use of the word *execrabile*, the ancient Republican notion of the exiled person being accursed by the gods. Seneca's reference to wise men annulling decrees of the people may be seen as both a defiant and sycophantic comment, probably directed against the senate which had passed the death sentence on him in 41, but which Claudius had overturned in favour of *relegatio*. Seneca adds more weight to his philosophical comments that the exiled person should feel no shame by asserting that he has been able to retain free speech, even under such circumstances as banishment. This is a *topos* which originated with Teles in the third century BC and was carried through to the age of Musonius' treatise *On Exile*⁴⁴¹, by which time the harshness of the emperors' despotic rule had truly taken hold.

Throughout the *consolatio*, Seneca refers to his exile as a *loci commutatio* (*ibid.* 6.3), the phrase much used by the Stoics as a euphemism for exile, and though he concedes that this is attended by the disadvantages of

⁴⁴⁰See Chapter One.

⁴⁴¹See MacMullen, R., *op. cit.*, 66.

poverty, disgrace and scorn (*hanc commutationem loci sequuntur incommoda: paupertas, ignominia, contemptus*)⁴⁴², he argues that even those who have gone to live in Rome from various other places have all left their homes and cannot truly regard the city as their own. The Stoic dogma of the City of the World (Seneca *De Otio*, 4.1) can also be seen when Seneca writes: *Nullum inveniri exilium intra mundum potest; nihil enim, quod intra mundum est, alienum homini est* (*Ad Helviam* 8.5). It is at this point that Seneca compares Corsica to Gyaros. Seneca deliberately uses the word *saxum* to emphasize how awful his place of exile is. It was an invidious term for a small rocky island (*Ann.* 4.21,5: *saxo Seripho consenuit*)⁴⁴³, but the point should be made here that there is no record of any Romans having gone to live willingly on islands notorious as places of banishment, such as Gyaros or Seriphos. He connects the thought of foreigners coming to live on Corsica with the examples of whole tribes or nations shifting their abodes, mentioning Achaean towns on the coast of the Pontic Sea, Athenians dwelling in Asia, Miletus pouring out into seventy five different cities, including Tomis (Seneca clearly has Ovid in mind here) and various other similar migrations. Stressing his point, Seneca states: *Omnes autem istae populorum transportationes quid aliud quam publica exilia sunt?* He also declares that the Roman Empire itself looked back to an exile as its founder - referring to Aeneas - a refugee from his captured city, who was brought by destiny to Italy (*Ad Helviam* 7.7). Using the example of the changing population of Corsica, Seneca asserts, finally in this context, that hardly any land contains a truly native people (*ibid.* 7.8).

⁴⁴²The manner in which the three *incommoda: paupertas, ignominia, contemptus* are presented seems to indicate that Seneca is following a traditional attitude towards the sentence of exile. The use of the word *sequuntur* does not mean that the three adverse effects come after exile, but that they are inseparable from it.

⁴⁴³The term was also used by the anonymous writer of "Seneca's Epigrams" to emphasize the nature of the philosopher's exile: *Barbara praeruptis inclusa est Corscia saxis* (*Epigrammata super exilio* 2.1, Teubner Vol. 1, Hanse, F. ed., 1887, 261).

He then supplies useful information with regard to the subject of exile within the writing of some of Rome's most illustrious figures. He cites Varro, *doctissimus Romanorum*, as stating that, despite all the other problems of exile, the mere changing of place is offset by the ample compensation that wherever one ends up, he will still find the same order of Nature (*ibid.* 8.1)⁴⁴⁴. Seneca continues by quoting Marcus Brutus as saying that the most important point about banishment is that those who go into exile may take with them their virtues. Having mentioned such examples, Seneca concludes that these considerations may not give full consolation to the exile when taken individually, but they are all-powerful when combined because they show how little has really been lost by banishment. He uses the example of Brutus' account of Marcellus (*cos.* 51 BC), the bitter enemy of Julius Caesar, who after Pompey's defeat at Pharsalus retired to Mytilene. The account was contained in Brutus' book on virtue, which was dedicated to Cicero (*De Finibus* 1.3.8) and it describes how Brutus saw Marcellus in exile, living as happily as the limitations of human nature might permit, and that he had never been more interested in liberal studies than at that time. Brutus adds that, when he was about to return to Rome without Marcellus, he felt that he himself was going into exile instead of leaving Marcellus in banishment. Brutus adds that Julius Caesar had sailed past Mytilene because he could not bear to see a hero in disgrace and that the Senate, by public petitions, did indeed secure Marcellus' recall, after seemingly pleading for themselves, not for Marcellus, to prevent themselves feeling like exiles because they would be without him. Seneca comments that the thought of Brutus and Caesar behaving in such ways would have encouraged Marcellus to bear his exile with patience. Marcellus is said to remark: *Quod patria cares, non est miserum. Ita te disciplinis imbuisti, ut scires omnem locum sapienti viro patriam esse* (*Ad Helv.* 9.7).

⁴⁴⁴Varro (116-28BC) was never strictly an exile himself.

The use of this *exemplum* is highly significant in two ways. Firstly, Seneca is quoting a work of Marcus Brutus, the tyrannicide, in a reference which would have evoked feelings among any who believed that the return of the Republic, albeit in a different guise, should have occurred following the assassination of Caligula and prior to the instalment of Claudius. Secondly, Seneca is citing an example by referring to the exile of Marcellus, the bitter enemy of Caesar. The fact that Seneca, in this same *consolatio*, also describes himself as using his time in exile to devote himself to liberal studies, like Marcellus, strongly suggests that he is comparing himself to the latter. It can be argued that the interpretation of such a comparison may indicate a definite degree of protest against Seneca's own sentence of exile.

The *consolatio*, as a whole, is interspersed with typically Senecan epigrammatic expressions. Initially, they appear to be substantiating the points Seneca has been making on a particular aspect of exile, but a closer reading reveals something of an *apologia* for Seneca himself. It would certainly not be fallacious to believe that Seneca, through the use of the *consolatio*, is making a case for the reputation of himself and his family against the charge which had resulted in his exile⁴⁴⁵. Seneca's epigrammatic style may evoke the sense of Cicero's letters when the Republican considered his friends in exile and spoke of the sufficiency of virtue for happiness or when he said that real exile was life in a state where there was no law. It could also be that Seneca is being philosophical about his exilic fate because so many people had now been banished under the despotic regimes of the Julio-Claudians when they had not been guilty of any real crime, himself included. Another purpose behind the work might have been to enable Seneca to renounce his political ambitions in

⁴⁴⁵See Abel, K., *op. cit.* 47ff, on the evidence that Seneca's consolatory arguments presuppose his innocence.

order to effect his recall, but the subtle approach of the *consolatio* failed and so, a year later, Seneca sought to achieve his recall by writing his less discreet *consolatio* to Polybius. His renunciation of the active political life and his lack of concern for material goods, which were so obvious in the *Ad Helviam*, had been tactics at least partially devised to lessen the suspicions which Messalina and her cohorts had about him. He now decided to follow a different path.

The *Ad Polybium*, which is generally regarded as having been written in 43 after the *consolatio* to his mother⁴⁴⁶, is undoubtedly marred by its apparent sycophantic flattery of Claudius, but even that is understandable when one considers the ulterior motive behind it. Its more favourable points, however, include the historical comments about Seneca's trial (*Ad Polyb.* 13.1-4) and his references to Claudius' *clementia*. Seneca says that exiles can now live more peacefully under Claudius' rule than even princes did under Caligula: *non trepidant nec per singulas horas gladium expectant nec ad omnem navium conspectum pavent; per te habent ut fortunae saevientis modum ita spem quoque melioris eiusdem ac praesentis quietem* (*Ad Polyb.* 13.4). When one bears in mind Dio's remarks on how the banished lost their lives going into exile, as well as when they were in exile⁴⁴⁷, these comments might have rung true, but Seneca's deeper purpose was to emphasize the particular merit of Claudius' *clementia*, a quality the *princeps* prided himself on, in order to secure his recall⁴⁴⁸.

Seneca must have been informed about other exiles or of Claudius' leniency towards them, bearing in mind that this *consolatio* was written just a

⁴⁴⁶Lana, I., *op. cit.*, 75, dates it to two years after exile, though Griffin, M., *Nero*, 71, writes of a "grovelling appeal for mercy" written in the third year of his exile.

⁴⁴⁷See chapter on exile under Tiberius and the later Julio-Claudian Emperors.

⁴⁴⁸See Levick, B., "Antiquarian or Revolutionary? Claudius Caesar's Conception of his Principate," *American Journal of Philology* 99 (1978) 97.

short while before Claudius' British triumph of 44, with the intention of trying to gain a recall in time to be in Rome to see it. Towards the end of the *consolatio*, Seneca follows Ovid's defiant lead in the *Tristia* when he advises Polybius to write a memorial to his dead brother because, among human achievements, writing is the only work that no storm can harm, nor length of time destroy. He continues by pointing out, in an Horatian echo (*Odes* 3.30), that the erection of stone and masses of marble, or huge mounds of earth, does not secure remembrance, since such things also perish, but *immortalis est ingeni memoria*.

Ovidian echoes pervade Seneca's *consolationes* and are used, as stated above, with the intention of achieving maximum *pathos*. Occasionally, however, Seneca can give way to hyperbole, such as when he states that he is banished to a remote corner of the world (*Ad Polyb.* 13.3), when he is in reality a short sailing distance from the west coast of Italy. Clearly, Seneca is exaggerating, but this is in keeping with the trope of a place of exile being a great distance away from Rome. It is more relevant to the exile's state of mind and sense of dislocation than to his physical state. At the end of the *consolatio* to Polybius, in another Ovidian echo, Seneca also exaggerates his lot when he says his mind is now weakened and dulled by long rusting and that Latin words do not come readily to one in whose ears the rude language of barbarians is always ringing (*Ad Polyb.* 18.9; *Tristia* 5.7.57-8). This is another exilic trope and such a remark is negated by the eloquence found in the *Ad Helviam*. The *Ad Polybium* is full of so much artificial sentiment that it has been construed as satire in much the same way that some have interpreted *Tristia* 2⁴⁴⁹. It is clearly not a letter of condolence on the death of Polybius' brother⁴⁵⁰, but

⁴⁴⁹See Momigliano, A., *Claudius: The Emperor and his Achievement* (Oxford, 1934) 75-6.

⁴⁵⁰Even so, there is at least one suggestion that it evoked such a response in Polybius that the freedman wanted to respond to Seneca's appeal, but was killed in order to prevent it. See Bauman, *op. cit.*, 176.

rather a firm reminder of Seneca's existence and, as such, it represents a request for "a patronal mediator" to achieve Seneca's recall⁴⁵¹.

Seneca might have derived some comfort from the thought that Claudius had spared his life and that orders would not be issued from Rome for his death while in exile. But was that really the case? There is room to believe that Seneca might have written to Polybius - about Claudius having more *clementia* and being kinder to exiles than his predecessor had - because the *consolatio* was intended for publication. It is reasonable to assume that Seneca wanted the emperor to maintain his original standpoint, which had resulted in the philosopher's life being saved, and not allow his mind to be corrupted by Messalina's devious schemes. Seneca's perception of the changes in court life would have made him acutely aware of any danger. He had already escaped the death sentence - only just - under Caligula, then repeated the feat after the senate had voted for his execution. So it is not beyond reason to suggest that his address to Polybius may contain more guile than is generally appreciated. Is the praise of Claudius not only an abject way of trying to work his recall, but also a subtle way of staying alive? During his time on Corsica, Seneca would have remembered the start of Caligula's reign when an amnesty was pronounced for exiles, most of whom were then recalled, and a glorious new principate seemed about to start. It was just a short time afterwards, however, when the nightmare began and the sword was taken even to those who had supposedly evaded it by being banished to different islands.

Looking at the new principate, Seneca would have recognised similarities. The senate had eschewed the opportunity provided by the assassination of Caligula, the calls for a "New Republic" and *libertas* had faded

⁴⁵¹Saller, R., *op. cit.*, 57.

once Claudius had been installed by the army and the mad emperor's murderers had been executed. Like Caligula, Claudius had pronounced an amnesty for exiles, which had included the previous emperor's own sisters, but that did not prevent Claudius exiling one of them again, along with Seneca, in the same year that he assumed power. Seneca had survived the death penalty, but he had only to recall recent history to see that those who had offended the court, for whatever reason or by their very existence, could easily be dispatched in their very places of exile. If a troop of soldiers had been sent to Cercina to end Sempronius Gracchus' days or to Andros to cut down Avillius Flaccus, what was to stop a similar number of men arriving on Corsica?

The style of Seneca's exilic works show no diminution in his rhetorical skill. The *Ad Helviam* is certainly more accessible than the *Ad Polybium*, not least because of its many pertinent references to exile. Sadly, neither work adequately describes what Seneca's surroundings must have been like and they lack much of the descriptive elements that Ovid injected into his writing from exile, but they do provide a perspective into Seneca's thinking and, when published in Rome, they served their purpose of keeping the image of Seneca in the public eye while the person remained in exile. When one bears this in mind, it is easier to understand their peculiar quality, which was not aimed purely at Polybius or Helvia, but was intended for a much larger audience.

Statements in the *Ad Helviam* suggest that Seneca had not communicated with his mother until he composed the *consolatio* to her or that, at least if he had, he had never mentioned his exile. It seems odd, if Seneca is to be believed, that he chose such a stylised way by which to console his mother. The format of a philosophical treatise highly polished for publication is hardly the stuff of genuine personal correspondence. Consolations had traditionally been used to provide help to those who had suffered personal loss, but not for

circumstances such as Seneca's. It is clear to see, then, that the work's intended audience was not Seneca's mother, but the upper levels of Roman society, including those near the emperor and empress. Seneca's reputation as a scholar remained high during his exile and, as in the case of the banished Ovid, his reading public must have been relatively large. His works contain a certain element of sincerity to the extent that he probably felt he would remain aloof from politics if only he were recalled from exile. The fact that he rushed headlong into the praetorship and court intrigue immediately after his recall does not necessarily indicate that he was incapable of sincerity in the *Ad Helviam* and the *Ad Polybium*. He may have been sincere in depicting himself in the former as an innocent man and he could not have written to Polybius appealing to imperial justice or clemency if his guilt had been manifest and justice had unquestionably been done. When he composed them, he must have thought that his chances of a return to active political life were limited and that his best approach both politically and philosophically was to renounce that life. If the *Ad Helviam* is insincere at all it is only in its major point, i.e. that exile was simply a *loci commutatio*, and in its stated purpose - to console Helvia.

SENECA'S RECALL

Seneca was eventually recalled from Corsica in 49 after eight years in exile, which was about the same amount of time that Ovid remained banished in Tomis until his death. Messalina's outrages had been uncovered, with the result that she was executed and Agrippina managed to secure not only Seneca's return, but a further *beneficium* in his election to the praetorship⁴⁵². Tacitus says that Agrippina argued on the philosopher's behalf that it would be a

⁴⁵²Saller, R., *op. cit.*, 41ff. The initial *beneficium* would appear to be Agrippina's influence on Claudius to commute the sentence passed in 41 on Seneca from death to exile, though there is room to consider that it might have been connected with an event mentioned by Tacitus in the lost books, as pointed out by Clarke, G.W., "Seneca the Younger under Caligula", *Latomus* 24 (1965) 62.

popular act *ob claritudinem studiorum eius* (*Ann.* 12.8.2), but she must have been equally sure of her grounds for believing that he would lend his talents and his counsels *ad spem dominationis*. One source has suggested that the news of Seneca's recall was unexpected, as was his appointment as Nero's tutor, and that the philosopher's initial wish was to go to Athens: *qui etsi magno desiderio Athenas intenderet, ab Agrippina tamen erudiendo Neroni in palatium adductus* (Schol. on Juv. 5.109). Such an attitude would have been completely in keeping with the orator who had narrowly avoided Caligula's sentence of death and decided to turn his talents more towards a quiet life of philosophical contemplation⁴⁵³. It was not to be. Whatever his own desires, Seneca can have been left in little doubt as to what his duties were to be on his return to Rome⁴⁵⁴. Tacitus succinctly summarised the situation by indicating that Seneca's return would provide for Nero, coming from boyhood to adolescence, a distinguished teacher, and enable him to profit from the philosopher's advice in regard to his own and his mother's hopes for supreme power⁴⁵⁵. Seneca was believed to be loyal to Agrippina as his benefactress and hostile to Claudius through resentment at his injury (*Ann.* 12.8)⁴⁵⁶.

In spite of the philosophical attitude towards exile expressed in the *consolatio* to his mother, the stigma of exile remained with Seneca in varying degrees after his return to Rome. On his return from exile, Seneca had to put up with the extreme hostility of Publius Suillius Rufus, who, for reasons unknown, launched a bitter campaign against him in much the same way that

⁴⁵³One has only to think of the sentiment expressed in *Ep.* 14, where Seneca wrote that a wise man would never provoke the wrath of the powerful; rather he would keep out of its way - as a sailor tacks before a storm.

⁴⁵⁴Duff, J.D., *op. cit.*, xxv, goes so far as to suggest: "He would indeed have been a happier man, if he had never left the rocks of Corsica."

⁴⁵⁵See Griffin, M., *Nero*, 71, who remarks on how Agrippina did not intend Seneca to teach Nero philosophy, only rhetoric, and to educate the young prince in wit, charm and eloquence.

⁴⁵⁶See Levick, B., *Claudius* (London: B.T. Batsford, 1990) 188, on Seneca's other reasons for his hatred of Claudius.

Cicero was stinging reminded of his own banishment by his enemies. Tacitus (*Ann.* 13.42.3) records: *Nec Suillius questu aut exprobatone abstinebat, praeter ferociam animi extrema senecta liber et Senecam increpans infensum amicis Claudii, sub quo iustissimum exilium pertulisset.* Tacitus (*Ann.* 12.8.8) also says that Seneca nourished a grudge against Claudius, *dolore iniuriae*, which shows how calculated his praise of the emperor's *clementia* was in the *Ad Polybium*. In reality, he felt that his conviction was unjust and would never have happened under a better *princeps*. Seneca's contrasting attitude in works such as the *Ad Polybium* and the *Apocolocyntosis* has led to some confusion as far as his commentators are concerned, but such criticism merely shows a misunderstanding of the diametrically opposed conventions of courtly panegyric and satire as literary genres⁴⁵⁷. In 43, after two years of exile in Corsica, the dishonoured Seneca was desperate for recall and reinstatement. In 54, after the death of the emperor who had refused to grant them, the wheel of fortune had placed Seneca in a position of unassailable power and authority and destined him to be the virtual ruler of the Roman world for the next five years⁴⁵⁸. Nevertheless, Seneca's handling of Nero and state affairs provoked Syme's interpretation of Dio's indictment against the emperor's chief executive: "He was exiled, but exile had not made him a better man."⁴⁵⁹

EXILE MENTIONED IN SENECA'S LATER WORKS

Seneca did not refer directly to his own banishment in any of his later works⁴⁶⁰. The authorship of the *Octavia*, which has several references to the

⁴⁵⁷Momigliano, A., *Claudius: The Emperor and his Achievement* (Oxford: OUP, 1934) 75-76, comments that, with full freedom of development, the *Apocolocyntosis* highlights the flagrant incongruity between the awkward grandeur and the true baseness of the emperor and his court, and that Seneca's disenchantment had only grown with his return from exile in Corsica.

⁴⁵⁸See Eden, P.T. ed., *Seneca: Apocolocyntosis* (Cambridge: CUP, 1984) intr. 6.

⁴⁵⁹Syme, R., *Tacitus*, 550.

⁴⁶⁰See Duff, J.D., *op. cit.*, intr. xiv; and Griffin, *Seneca*, 55, comments that his "exile under Claudius is only once referred to in the works we have from after the return and then only indirectly in a story

exiles of the elder Agrippina, Seneca and Octavia, has been falsely attributed to Seneca. His plays were popular during the youth of Quintilian (10.1.125-131) and the latter's judgement of Seneca's style can be compared with the admiration of the author of the *Octavia* "who tried too faithfully to imitate it"⁴⁶¹. Watling has written that there is no reason why Seneca should not have composed "this grim commentary on contemporary events in the form of ancient tragedy" at some time between AD 62 and his death, but he adds that it might equally have been penned by another writer who had some acquaintance with Seneca's style and thought⁴⁶². The second view is more logical. If Seneca had written the play and any copies of it had existed, there was always the danger that one might find its way into Nero's hands. A second exile would seem unlikely under such circumstances and Seneca's demise would undoubtedly have occurred sooner than it did. There is also the inclusion of Seneca himself as a character within the drama, which is totally at odds with his propensity for *dissimulatio*. It is also beyond credulity that Seneca would have written something as directly autobiographical as the long opening speech that his character utters. He asserts that he was happier on the rocky shores of Corsica than back in Rome in a position of power. Watling comments that "one is strongly tempted to assume that Seneca knew more than nothing about it"⁴⁶³, but this is fanciful conjecture that has no substance.

Exile is certainly mentioned in the post-Corsican writings, but Seneca manages to combine the traditional sense of shame with a defiant attitude towards unjust treatment or with admirable Stoic resolve towards the sentence. In *Ep. Mor.* 24.3-4, Seneca states: *Numquid occidere tibi, si damnaris, potest durius quam ut mittaris in exilium, ut ducaris in carcerem?* He continues by

about Lucilius' loyalty to men in trouble (*Naturales Quaestiones* 4, pref. 15)".

⁴⁶¹See Griffin, M., *Seneca*, 427.

⁴⁶²Watling, E.F., *op. cit.*, 38.

⁴⁶³Watling, E.F., *op. cit.*, 39.

praising the exiled Rutilius, who bore his condemnation as though the only thing that hurt him was the false judgment. Metellus endured his exile bravely, Rutilius even willingly; the former afforded the state the chance to recall him, the latter refused to return for Sulla - a man to whom one did not then refuse anything. Also, in counselling Lucilius on preparing for the worst, he adds: *Pauper fiam: inter plures ego. Exul fiam: ibi me natum putabo quo mittar* (24.17). It is an echo of the thoughts expressed to Helvia from Corsica and a stock philosophical theme.

The dramas provide some examples of Seneca's attitude towards exile. This is particularly seen in the fragments that remain of the *Phoenissae*. There is Jocasta's reaction to Polynices: *Iunge complexus prior,/qui tot labores totque perpressus mala/longo parentem fessus exilio vides* (464-466). These lines are especially relevant bearing in mind Seneca's words to Helvia. Seneca also uses Jocasta's character to express Polynices' innocence: *hostium es factus gener,/patria remotus hospes alieni laris,/externa consecutus, expulsus tuis,/sine crimine exul* (510-513). These are lines which must have had deep relevance for Seneca himself. Jocasta expresses her relief at Polynices' return and beseeches him to put aside his soul's wild torment and come back to duty's ways. At this, Polynices replies: *Ut profugus errem? semper ut patria arcear/opemque gentis hospes externae sequar?/quid paterer aliud, si fefellissem fidem?/si peierassem?* (586-589). Again, these lines must have been full of poignancy for the writer who had felt the bite of exile himself. The most telling comment is placed in Jocasta's lips, when she states epigrammatically: *regna cum scelere omnibus/sunt exiliis graviora* (625-626). Bearing in mind the action of Nero at the start of his reign against his own step-brother Britannicus, this is clearly an assertion of Seneca's own self-worth. Later, the character Eteocles states: *Regnare non vult esse qui invisus timet;/simul ista mundi conditor posuit deus,/odium atque regnum* (654-656). The first

sentiment is an echo of the line that Caligula used to enjoy quoting from a tragedy of the poet Accius: *Oderint, dum metuant* (Suet. *Cal.* 30.1)⁴⁶⁴. The clearly stated despotic ideas within the speeches provide a mirror for the real absolutism that surrounded Seneca for most of his life. Since the version of the *Phoenissae* that has come down to us is incomplete, it is not possible to make a full judgement on its quality, but it is obvious that the author's disposition with regard to exile is of an altogether different kind to that of Euripides who wrote the original.

The themes of kingship and exile are also prevalent in *Thyestes*, which, it has been suggested, perhaps should be assigned to the Corsican period when Seneca might have been brooding about *regnum* as he had known it under Tiberius, Caligula, and Claudius. When the Chorus praises the simple life uncorrupted by power (391ff. 446ff), some have sensed the attitudes of the poet's own exile; when Thyestes expressed hope and fear on his return (404ff), the mixture of moods could have something autobiographical about it. Atreus perceives the sole alternative to despotism in the state he experienced as a *trepidus exul* (237) while Thyestes held the throne. He speaks of the evils and harsh labour of exile (301-6), which he brands as *miseriae* (307). Consumed as he is by *regni furor*, he assumes that Thyestes is similarly motivated and so he devises the scheme for luring him to punishment by inviting him to exchange the worse state for the better: *regno ut miserias mutet* (298). For Atreus, as for the Fury, power and exile are polar opposites. The state of exile which he earlier praised for its freedom from fears (447-53, 468-70) he here calls fearful (*trepidi...exilii*, 923), a near parallel to Atreus' phrase, *trepidus exul* (237). The poverty he once considered desirable he now dismisses as sad (*tristis egestas*, 924), a phrase equally recalling Atreus' words for exile (*tristis egestas*, 303). It

⁴⁶⁴A line from the tragic poet Accius.

has been pointed out that if Seneca wrote the play during his time on Corsica, as some have suggested, it is strange that the Fury should say *ob scelera pulsi cum dabit patriam deus/ in scelera redeant* (37f). As Nisbet remarks: "Cicero, for one, showed how sensitive exiles could be about their experience."⁴⁶⁵ Again, the drama reflects the political atmosphere in which Seneca lived and provides a bitterly realistic commentary on contemporary conditions. Atreus' unqualified victory over Thyestes offers a pessimistic view of a world in which the only valid form of government is cruel despotism, where the voices of reason favouring a more humane use of power are either ignored or suppressed, and where even philosophical indifference is not left untroubled⁴⁶⁶. This is certainly redolent of the times Seneca was living through, when Stoicism was taking hold against the despotic practices of the later Julio-Claudian emperors and even the banished, who had escaped death by going into exile during the Republic, now feared the sword on their islands of captivity.

CONCLUSION

Seneca lived through the reigns of the last four Julio-Claudian emperors and almost survived the final one, possessing an ability that was certainly at a premium in the times through which he lived. He was fully aware of the despotism that surrounded him, but it is true that he also played his part in promoting it. This is what sparked the charge of hypocrisy against him throughout the ensuing centuries. He could exhort Nero to practise clemency, yet he did not demur from acknowledging that the power of the young *princeps* was regal and absolute. As Syme indicates, within the treatise *De*

⁴⁶⁵See Nisbet, R.G.M., *op. cit.*, 100.

⁴⁶⁶See Rose, A.R., "Power and Powerlessness in Seneca's *Thyestes*," *Classical Journal* 82 (1987): 120.

Clementia, Seneca coolly disregarded the conventional distinction between "*princeps*" and "*rex*". The eminent historian adds: "The two types of discourse employed by the minister reveal and show up the essential duplicity of the Principate."⁴⁶⁷ It is perhaps with this last thought in mind that one should consider how Roman history had developed from its legendary beginnings under the rule of kings up to the time of the last of the Julio-Claudian emperors.

Ironically, the last of the Roman kings had been exiled for what were considered the unjust actions of his family, the Republic was founded and the death sentence for criminal actions could be avoided by the accused going voluntarily into exile. By the time of Nero, the facade of government being administered as it had been during Republican times had been completely destroyed, the emperor had become a despotic "king" and one of his final instructions, made before his own death, was to order the execution of all who had been exiled. Roman politics had gone full circle, the Julio-Claudian Dynasty had ended shamefully and a long year of chaos was about to begin.

⁴⁶⁷Syme, R., *Ten Studies in Tacitus* (Oxford: OUP, 1970) 123.

EPILOGUE

aut maris Aegaei rupem scopulosque frequentes

exulibus magnis

Juvenal, 13.246-247

The widespread use of exile was not to end with the collapse of the Julio-Claudian Dynasty. The sentence of exile was to prove far too expeditious and convenient to fall into disuse. In order to appear generous on their accession, both Galba and Otho were willing to see the restoration of members condemned under Claudius and Nero⁴⁶⁸. There were further restorations at the beginning of Vespasian's reign (*Hist.* 4.44), but the practice of exiling those deemed offensive or politically dangerous had not changed⁴⁶⁹. Domitian, in particular, followed the methods of the Julio-Claudians. His encouragement of *delatores* and his antipathy towards the senate resulted in many cases of exile and death⁴⁷⁰. Domitian's despotism was clearly depicted by Rome's greatest historian when he wrote: *scilicet illo igne vocem populi Romani et libertatem senatus et conscientiam generis humani absoleri arbitrabantur, expulsis insuper sapientiae professoribus atque omni bona arte in exilium acta, ne quid usquam honestum occurreret* (Tac. *Agricola* 2.2). Juvenal's verses about the barren Aegean rocks swarming with distinguished political exiles indicate that the voices banished from Rome were to cry out for many years to come.

⁴⁶⁸Otho even consoled young nobles with familial priesthods: *aut recens ab exilio reversos nobilis adulescentulos avitis ac paternis sacerdotiis in solacium recoluit* (*Hist.* 1.77; Plut. *Otho* 1).

⁴⁶⁹Helvidius Priscus, exiled first in 66, was exiled again in 70 by Vespasian.

⁴⁷⁰The range of victims encompassed by Domitian's tyranny was all too familiar, including Flavia Domitilla, a niece of the emperor who was charged with atheism and banished to Pandateria (Dio 67.14.3) or Pontia, where in St Jerome's day her quarters were revered as a shrine (*Epist. Ad Eustoch.* 108.7), senators who were murdered in exile (*Dom.* 10.2), and philosophers. He even exiled Nero's freedman Epaphroditus after accusing him of failing to defend Nero, but it was not so much a punishment as a warning to his own freedmen not to behave in a similar fashion (Dio 17.14.4).

APPENDIX A

PLACES OF EXILE

Below is a list of the places to which victims of exile during the Julio-Claudian Dynasty were banished with the modern name, if different, in brackets.

AMORGOS: An island of the Sporades in the Aegean Sea, south east of Naxos. It was the birthplace of the poet Simonides. The soil of Amorgos is fertile, producing corn, oil, wine, figs, and, more recently, cotton and tobacco. Its fecundity was the main reason why it was considered under the Roman empire one of the most favourable places for banishment.

Exile: Vibius Serenus (AD 23).

ANDROS: The most northerly and one of the largest islands of the Cyclades, south east of Euboea. The island, which was considered sacred to Dionysus, is twenty-one miles long and eight miles wide. Its chief city was also called Andros and was situated nearly in the middle of the western coast of the island at the foot of a lofty mountain. The soil is fertile and chief products are silk and wine, for which it was celebrated in antiquity. There was a tradition that during the festival to Dionysus, a fountain flowed with wine (Pliny *Nat. Hist.* 31.13).

Exile: Avillius Flaccus (AD 39); Glitius Gallus and Egnatia Maximilla (AD 65).

BALEARIC ISLES: A group of islands in the Mediterranean, lying off the east coast of Spain. The islands, Majorca and Minorca, had excellent harbours, though there are rocks at their mouth requiring care when entering them. Both islands were extremely fertile and Pliny praised their wine and corn (Pliny *Nat. Hist.* 14.6; 18.7). Nine miles south of the larger island in the open sea lay the

little island of Capraria, which was a treacherous cause of shipwrecks in ancient times.

Exiles: Votienus Montanus (AD 25); Publius Suillius Rufus (AD 58).

CAMPANIA: It was in this beautiful and fertile region of central Italy that Nero's wife, Octavia, was initially held in exile under armed guard.

Exile: Octavia (AD 62).

CERCINA and CERCINITIS: Two islands off the east coast of Africa. Cercina, which was much the larger of the islands had a similarly named city built on it. Cercina, to which the smaller island seems to have been considered a mere appendage, is often mentioned in history (Plut. *Dion.* 43; Polybius 3. 96; Livy 33.48; Tac. *Ann.* 1.55; 4.13).

Exile: Sempronius Gracchus (2 BC-AD 14).

CINARIA: A small island in the Aegean Sea, north east of Amorgos and named after an artichoke it produced (Pliny *Nat. Hist.* 4.12).

Exile: Tiberius's Greek courtier Xeno (date unknown).

CIRCEII: A clifftop town of Latium south of Rome, situated at the foot of the Mons Circeius (Monte Circello), on its northern side and a short distance from the sea. It was a small town and disadvantaged by its position, but it appears to have been used as an agreeable place of retirement by wealthy Romans under the later Republic and the empire. The emperors Tiberius and Domitian had villas there (Cic. *Att.* 15.10; Suet. *Tib.* 72; Mart. 11.7.4; Statius *Silvae* 1.3.85).

Exile: The *triumvir* Marcus Lepidus (36 BC-12 BC).

CORSICA: One of the principal islands in the Mediterranean.

Exile: Lucius Annaeus Seneca (AD 41-49). See chapter on Seneca.

CRETA (Crete): Large mountainous island in the Aegean Sea, intersected by fertile valleys. In the division of the provinces under Augustus, Creta and Cyrene became a senatorial province (Dio 52.12).

Exile: Cassius Severus (AD 8-24).

CYTHNOS: An island in the Aegean Sea, one of the Cyclades, lying between Ceos and Seriphos. It contained a town of the same name, around the middle of the western coast, upon the summit and sides of a hill at least 600ft in height. In ancient times it was also called Thermia on account of some hot springs on its north-western side, which are now frequented from various parts of Greece for the cure of diseases. It was also renowned in antiquity for its excellent cheeses (Pliny *Nat. Hist.* 8.24). After the death of Nero, Cythnos is mentioned as the place where a false Nero made his appearance, and gathered around him many adherents (Tac. *Hist.* 2.8.9).

Exile: C. Iunius Silanus (AD 23).

DONUSA: A small, hilly island in the Aegean near Naxos. Virgil (*Aeneid* 3.125) gives to Donusa the epithet of *viridis*, which Servius explains by the colour of its marble, but this statement is probably only invented to explain the epithet. Donusa was known as a place of exile under the Roman empire (Tac. *Ann.* 4.30).

Exile: No exile from the Julio-Claudian Dynasty, but it was mooted as the place for Vibius Serenus' banishment (AD 24).

GYAROS or GYARA: A small island in the Aegean Sea, situated south west of Andros. It was little better than a barren rock, though inhabited in antiquity. Under the Roman empire, it became notorious for its use as a place of exile and

was one of the most dreaded spots employed for that purpose (Juvenal 1.73; Tac. *Ann.* 3.68.69; 4.30; Plut. *De Exilio* 8).

Exile: Musonius Rufus (AD 65).

LESBOS: A roughly triangular-shaped, mountainous island situated in the Aegean Sea, off the coast of Mysia, it was considered a destination for pleasant exile during the Republic.

Exile: Often used during the Republic, but no exiles during the empire, although Gallio wanted to choose it for his place of banishment.

MASSILIA (Marseille): A large city of Gallia Narbonensis on the coast. Both before Caesar's time and after, Massilia was a resort for Romans, as well as being selected as a popular place for those who went into exile.

Exiles: Vulcacius Moschus (date uncertain); Lucius Antonius, son of Iullus (2 BC); Faustus Cornelius Sulla Felix (AD 58).

NAXOS: The largest and most fertile of the Cyclades situated in the Aegean Sea, about halfway between the coasts of Greece and those of Asia Minor. It is extraordinarily mountainous and inaccessible in many places.

Exile: Lucius Silanus had chosen it as his place of exile before he was confined at Barium (AD 65).

PANDATERIA (Ventotone): A small island in the Tyrrhenian Sea, lying off the Gulf of Gaeta, nearly opposite the mouth of the Volturnus. It is about midway between Pontia (Ponza) and Aenaria (Ischia). Only three miles long, it is of volcanic origin, like the group of Pontian Islands to which it belongs. It used to be frequented, as were the adjacent islands, by flocks of quail and turtle doves during their annual migrations. It became notorious, as did the

neighbouring Pontia, as a place of confinement for exiled members of the imperial family.

Exiles: Julia, daughter of Augustus (2 BC - AD 3); Agrippina, wife of Germanicus (AD 29-33); Octavia, wife of Nero (AD 62).

PLANASIA (Pianosa): A small island in the Tyrrhenian Sea, about 10 miles south west of Elba and nearly 40 miles from the nearest point on the coast of Etruria. It is about three miles long by 2.5 miles in width, and is very low and flat - hence its name. In Varro's time, it seems to have belonged to M. Piso, who kept large flocks of peacocks there in a wild state (Varro *Rerum Rusticorum* iii.6). Its quarries of granite seem to have been worked during ancient times. It was subsequently used as a place of banishment.

Exile: Agrippa Postumus (AD 7-14).

PONTIA (Ponza): A small island close to Pandateria in the Tyrrhenian Sea, nearly opposite the Circeian promontory. It is the most considerable of a group of three small islands now collectively known as the *Isole di Ponza*. *Pontia*, which had been a *colonia Latina* since its settlement in 313 BC (Livy 27.10), is about five miles long, but very narrow and indented by irregular bays so that in some places it is only a few hundred yards across. The distance from the mainland promontory of Circeii is 16 miles.

Exiles: Nero Caesar, eldest son of Germanicus and Agrippina (AD 30), who was put to death by order of Tiberius (Suet. *Tib.* 54; *Cal.* 15). Caligula's sisters, Agrippina and Julia Livilla, were sent to the islands (AD 39-41).

RHEGIUM (Reggio): An important city of Magna Graecia, situated near the southern end of the Bruttian peninsula, on the east side of the Sicilian straits, and almost directly opposite to Messina in Sicily. Rhegium itself was the termination of the line of high road which traversed the whole length of

southern Italy from Capua to the Sicilian straits. Its territory was fertile and noted for the excellence of its wines, but in both ancient and modern times it suffered from the effects of earthquakes. It was often used by Octavianus during the war with Sextus Pompeius. In the time of Strabo it was a populous and flourishing place and one of the few cities which, like Neapolis and Tarentum, still preserved some remains of its Greek civilisation (Strabo 6.253-259).

Exile: Julia, daughter of Augustus, was transferred here from Pandateria after public protests at her confinement on the island (AD 3-14).

SARDINIA: One of the principal islands in the Mediterranean. Often associated with Corsica, it was much more fertile and less mountainous. Its central range of mountains are mainly formed of granite. Strabo (5.224) said: "The greater part of it is a rugged and wild country, but a large part contains much fertile land, rich in all kinds of produce, but most especially in corn." The great disadvantage of Sardinia was its insalubrity of climate. Martial alludes to it as the most deadly climate he can mention (4.60.6). In addition to the extreme unhealthiness of the climate, which led to malaria, it suffered from the incursions of wild mountainous tribes. To suppress these marauders, it was decided in Tiberius's time to send 4,000 Jews and Egyptians. It was frequently chosen as a place of exile for political offenders (Tac. *Ann.* 14.62; 16.9.17; Dio 56.27; Martial 8.32).

Exiles: Anicetus, freedman of Nero (AD 62); Cassius Longinus (AD 66).

SERIPHOS: An island in the Aegean Sea and one of the Cyclades, lying between Cythnos and Siphnos. According to Pliny (*Nat. Hist.* 4.12), it is 12 miles in circumference. It possesses a town of the same name, built upon a steep rock about 800ft above the sea, and a harbour on the eastern side. Seriphos is almost always mentioned with contempt on account of its poverty

and insignificance (Plut. *De Exilio* 602; Cic. *De Natura Deorum* 1.31; *De Senectute* 3) and it was for this reason employed by the Roman emperors as a place of banishment for state criminals (Tac. *Ann.* 2.85, 4.21; Juvenal 6.564; 10.170; Seneca *Ad Helviam* 6).

Exiles: Vistilia (AD 19); Cassius Severus, transferred from Crete for his "inimical practices" (AD 24-33).

SURRENTUM (Sorrento): Town on the middle Italian coast.

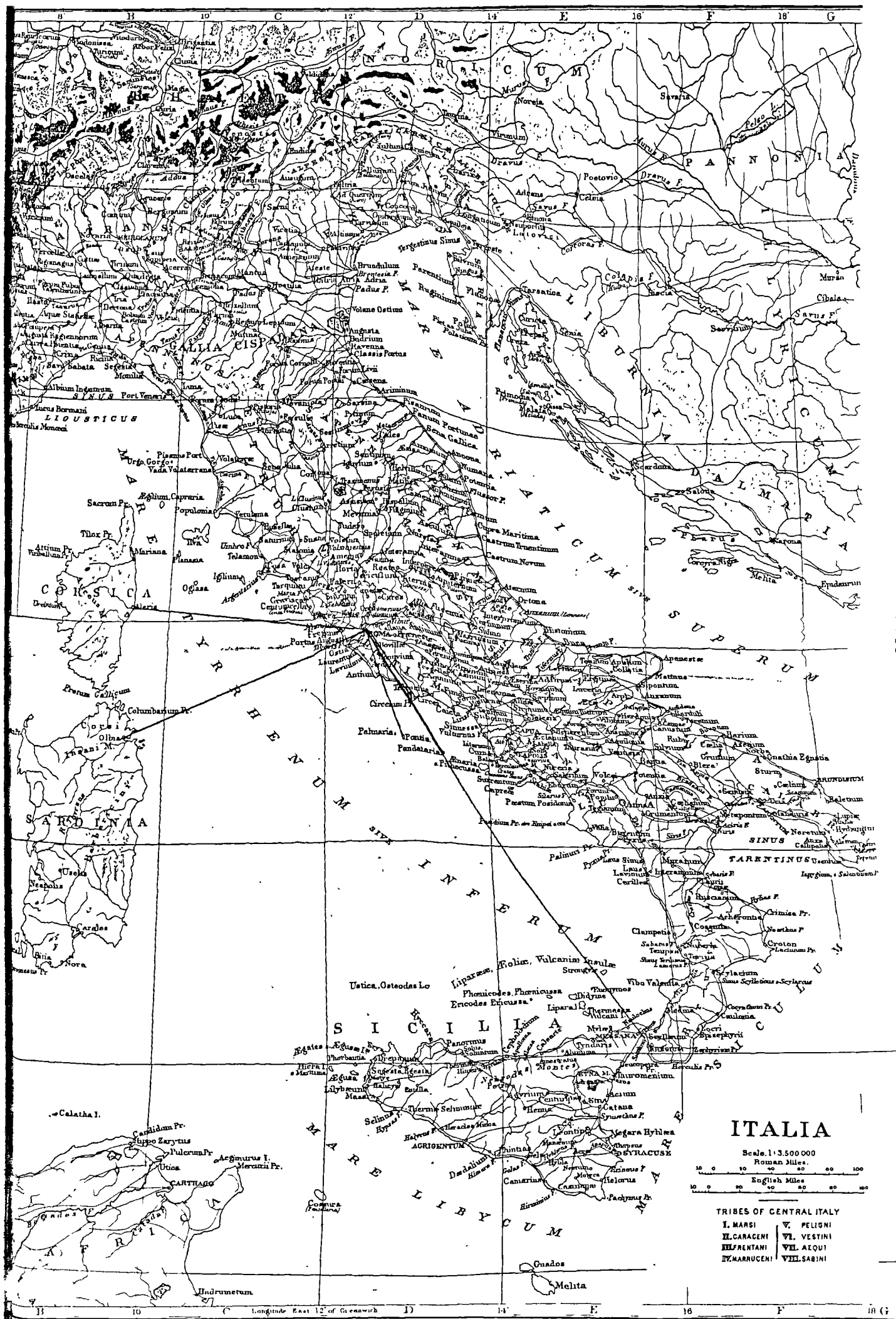
Exile: Initial place of *relegatio* for Agrippa Postumus (AD 5-7).

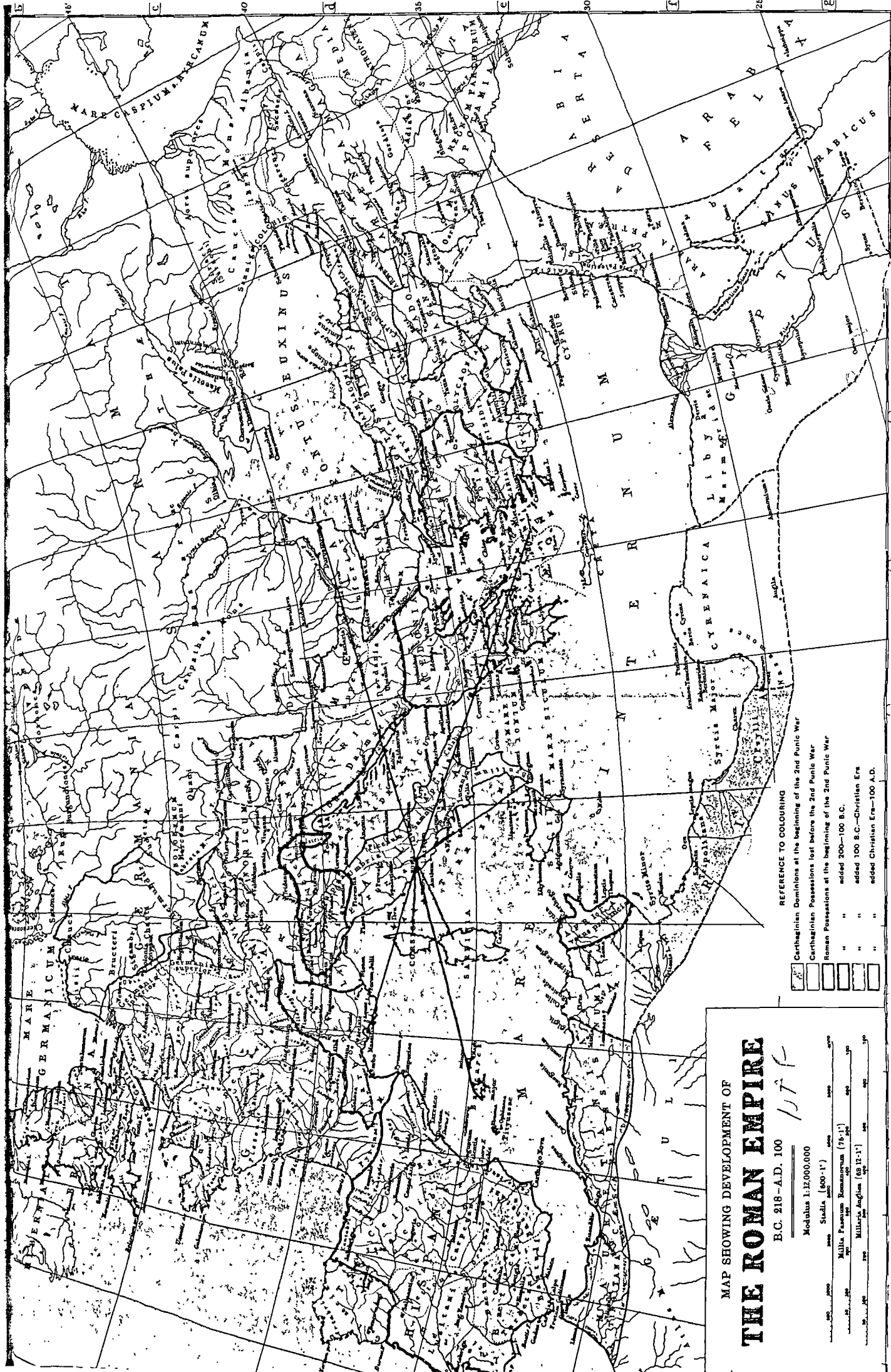
TOMIS (Constantza): A Pontic coastal town in Moesia, famous for being the place of exile of the poet Ovid. See chapter on Ovid for details.

Exile: Ovid (AD 8-17/18).

TRIMERUS (Isole di Tremiti): One of a small group of islands known as the Diomedae Insulae off the coast of Apulia. The islands - San Domenico, San Nicola and Capraia - are about 15 miles distant from the nearest point of the coast and 18 from the mouth of the river Frento (Fortore). Ancient accounts differ as to the exact number of islands, but the real number is three, besides some mere rocks. Of the three islands, San Domenico is much the largest and is evidently the Diomedea Insula of the ancients, But the same island was also known by the name of Trimerus, probably its vernacular or native name, from which comes the modern appellation of Tremiti, which is now applied to the whole group of islands. It was not renowned as an island of exile during ancient times, but King Ferdinand IV used the Abbey of Santa Maria on San Nicola as a jail, a tradition continued by the Fascists, who sent political exiles to the islands in the 1920s and 1930s.

Exile: Julia the Younger (AD 8-32).





MAP SHOWING DEVELOPMENT OF

THE ROMAN EMPIRE

B.C. 218—A.D. 100

Modulus 1:12,000,000

Stadia (600-1')

Millia Passuum Romanorum (795-1')

Millia Anglica (69 12-1')

REFERENCE TO COLOURING

- Carthaginian Possessions at the beginning of the 2nd Punic War
- Carthaginian Possessions lost before the 2nd Punic War
- Roman Possessions at the beginning of the 2nd Punic War
- " " added 200-100 B.C.
- " " added 100 B.C.—Christian Era
- " " added Christian Era—100 A.D.

APPENDIX B

SELECTED KEY MOMENTS IN ROMAN EXILE

THE REPUBLIC

509 BC: Legendary exile of the king Tarquinius Superbus; and Collatinus, joint first consul of the Republic.

449 BC: Introduction of the *lex sacra*.

439 BC: C. Servilius Ahala goes into voluntary exile.

391 BC: M. Furius Camillus goes into voluntary exile.

311 BC: Roman *tibicines* go on strike and exercise their *ius exilii* by going to Tibur.

213 BC: Several *matronae* condemned and go into exile for *probrum*.

212 BC: Cn. Fulvius Flaccus goes into voluntary exile at Tarquinii.

200 BC: Introduction of *lex Porcia*.

173 BC: M. Matienus goes into exile at Tibur.

123 BC: P. Poppilius Laenas banished through efforts of C. Gracchus.

116 BC: Q. Fabius Maximus Eburnus goes into exile after exceeding limits of *patria potestas*.

112 BC: L. Opimius goes into exile at Dyrrhachium.

110 BC: C. Porcius Cato goes into exile at Tarraco.

100 BC: Exile of Q. Metellus Numidicus.

95 BC: Q. Servilius Caepio goes into exile at Smyrna.

92 BC: Publius Rutilius goes into exile and becomes a citizen of Smyrna and refuses to return to Rome.

90 BC: L. Furius goes into exile at Pontus

90 BC: L. Calpurnius Bestia and C. Aurelius Cotta go into exile after condemnation under *lex Varia*

88 BC: Senators go into exile after the proscriptions of Sulla.

69 BC: Cicero states that no crime has been punished by exile in *pro Caecina*.

63 BC: Cicero's *Lex Tullia de ambitu* contains penalty of ten years' exile, the first time that such a penalty is recorded officially under Roman law. Suppression of Catilinarian conspiracy, results in executions and exiles.

58 BC: Exile of Cicero, who stays in Thessalonica and Dyrrhachium; *relegatio* of the *eques* L. Lamia, primarily for his support of Cicero.

57 BC: Return from exile of Cicero on August 4.

44 BC: Caesar's introduction of the *Lex Iulia de maiestatis*, containing the penalty of *aquae et ignis interdictio*.

AUGUSTUS

42 BC: Augustus banishes people of Nursia from their city for erecting a monument to their citizens slain at Mutina and inscribing on it: *pro libertate eos occubuisse* (Suet. Aug. 12).

36 BC: Exile of the *triumvir* M. Lepidus to Circeii.

27/26 BC: Sentence of exile passed on C. Cornelius Gallus, which he evades by committing suicide.

23 BC: Augustus prevents Caepio and Murena from going into exile by having them executed.

18 BC: Augustus introduces moral legislation through the *lex Iulia de adulteriis coercendis* and the *lex Iulia de maritandis ordinibus*.

2 BC: Exile of Julia, daughter of Augustus, to island of Pandateria for immorality; exile of Julia's lover Sempronius Gracchus to Cercina, along with Quintus Sulpicianus, Appius Claudius and "a Scipio" to unknown places of banishment; suicide or execution of Iullus Antonius; his son Lucius Antonius is "exiled" to Massilia.

AD 3: Transfer of Julia from exile on the island of Pandateria to mainland Rhegium.

AD 5: *Abdicatio* and *relegatio* of Agrippa Postumus to Surrentum.

AD 7: Agrippa Postumus is transferred from Surrentum to exile under armed guard on the island of Planasia.

AD 8: *Relegatio* of Ovid to Tomis for *carmen et error*; exile of Julia, granddaughter of Augustus, to the island of Trimerus for immorality; her only recorded lover, D. Iunius Silanus, goes into voluntary exile to an unknown place of banishment; the writer Cassius Severus suffers *relegatio* to Crete for libellous writing.

AD 12: Augustus places a range of new restrictions on exiles, primarily to discourage them from wandering from their place of banishment.

TIBERIUS

AD 14: Murder of the exile Sempronius Gracchus; murder of the exile Agrippa Postumus; death in exile of Julia, Augustus' daughter.

AD 16: Astrologers banished from Rome.

AD 17: *Relegatio* of Appuleia Varilla, who is allowed to be moved by her family to a place of exile 200 miles beyond Rome, and her lover, Manlius, banished from living in Italy and Africa, on charges of adultery. Death of Ovid in exile at Tomis

AD 19: Vistilia exiled to island of Seriphos for immorality. A combination of 4,000 Jews and Isis worshippers banished to Sardinia.

AD 20: Aemilia Lepida, great-granddaughter of Sulla and Pompey, is exiled for multiple offences, including falsely claiming to have borne a son, adultery, poisoning and consultation with astrologers regarding the imperial household.

AD 21: Antistius Vetus exiled for *maiestas*. A writer of fables, possibly Phaedrus, exiled on a charge of *maiestas*.

AD 22: Gaius Iunius Silanus exiled to Cythnus for acts of extortion and *maiestas* during his governorship of Asia.

AD 23: Tiberius denies exiles the possibility of writing a will by introducing much more severe penalty of *deportatio*; the governor of Farther Spain, Gaius Vibius Serenus, is deported to Amorgos under *lex Iulia de vi*; Cn Lucilius Capito exiled; actors banished from Rome

AD 24: Sosia Gallia exiled as a victim of Seianus on a charge of *maiestas*; Publius Suillius Rufus exiled to an island on a conviction of judicial corruption; the *relegatus* Cassius Severus suffers *deportatio* to Seriphos for carrying on his "inimical practices".

AD 25: The rhetorician Votienus Montanus exiled to the Balearic Islands for insulting Tiberius; petition of the exile Vulcatius Moschus to leave a will to his adopted homeland, Massilia - last mention of a condemned Roman changing citizenship; Aquilia exiled for adultery; interment of the ashes of Lucius Antonius, who had been sent by his great-uncle Augustus to exile in Massilia, in the Mausoleum of Augustus. Calpurnius Salvianus reprimanded by Tiberius for approaching Drusus, then urban prefect, with a suit against Sextus Marius and exiled.

AD 27: Freedman Atilius exiled for theatre disaster at Fidenae. Claudia Pulchra, cousin of Agrippina, probably exiled for *maiestas* and adultery.

AD 29: Agrippina exiled to Pandateria; her son Nero exiled to the island of Pontia.

AD 32: Exile of Iunius Gallio for remarks on the rights of the Praetorian guards. Accusers of Marcus Terentius - for being a friend of Seianus - are punished with exile or death.

AD 33: Pompeia Macrina and Sancia exiled for their familial connections.

AD 34: Ex-aedile Abudius Ruso banished from Rome; accusers Servilius and Cornelius exiled to islands for *calumnia*.

AD 37: Former praetor Carsidius Sacerdos suffered *deportatio* for immoral offences committed with Albucilla, as did Decimus Laelius Balbus; the mother of Sextus Papinius sentenced to *relegatio* for ten years for incest. Death of Tiberius and accession of Caligula.

CALIGULA

AD 37: Amnesty for those exiled by Tiberius, including the actors.

AD 38: Livia Orestilla suffers *relegatio* by Caligula

AD 39: Agrippina and Julia Livilla exiled by Caligula to the Pontian Islands for their supposed role in conspiracy against him; Ofonius Tigellinus exiled for "improper relations" with Agrippina; Carrinas Secundus exiled by Caligula for making a speech; governor of Egypt Avillius Flaccus is deported to Andros for his actions against the Jews. Caligula orders the murder of the most important exiles on their islands.

AD 41: Assassination of Caligula.

CLAUDIUS

AD 41: Amnesty for those exiled by Caligula. *Relegatio* of Seneca to Corsica and Julia Livilla exiled again to the Pontian Islands for adultery.

AD 44: Exiles attend Claudius's triumph over Britain.

AD 45: Unnamed governor of a province exiled for corruption.

AD 46: Asinius Gallus exiled for conspiracy.

AD 49: Recall from exile of Seneca; Julia Calvina banished from Italy; Lollia Paulina and Calpurnia exiled on account of their beauty and potential rivalry to Agrippina, but for officially other treasonable pretexts.

AD 51: Britannicus' tutors exiled or killed.

AD 52: Furius Camillus Scribonianus and his mother, the relegated Vibia, exiled for traffic with astrologers; astrologers banished from Rome.

AD 54: Death of Claudius and accession of Nero.

NERO

AD 56: Iunia Silana exiled for laying a charge of treason against Agrippina; Calvisius and Iturius suffer *relegatio*; Paetus exiled for *calumnia* and conspiracy; Nero banishes actors from Rome.

AD 58: Otho "banished" to Lusitania; Faustus Cornelius Sulla Felix exiled to Massilia.

AD 59: Livineius Regulus and his accomplices exiled for starting riots between Nucerians and Pompeians. After the murder of his mother, Nero revokes several sentences of exile, including those of Iunia Calvina, Iturius, Calvisius, Calpurnia, Valerius Capito and Licinius Gabolus. Nero also permits Lollia Paulina's ashes to be returned to Rome and a tomb erected.

AD 60: Nero banishes Rubellius Plautus; Vibius Secundus exiled from Italy after being convicted of extortion on a charge brought by the Mauretanians.

AD 61: Pompeius Aelianus exiled from Italy and Spain for role in *falsum* case; Valerius Ponticus banished for *calumnia*.

AD 62: Antistius Sosianus suffers *deportatio* to an island for treasonable writing; Aulus Didus Fabricius Veiento banished from Italy for libellous writing and bribery offences; Octavia first banished to Campania, under military surveillance, and then deported to Pandateria on trumped up charges of adultery; Anicetus, Octavia's "adulterer" suffers *relegatio* to Sardinia

AD 64: Isidorus and Datus banished from Italy for mocking Nero

AD 65/66: Victims of the Pisonian conspiracy exiled - Novius Priscus, Glitius Gallus, Annius Pollio, Verginius Flavus, Gaius Musonius Rufus, Cluvidienus Quietus, Julius Agrippa, Blitius Catulinus, Julius Altinus, Caedicia, Montanus, Cassius Asclepiodotus, Helvidius Priscus, Paconnius Agrippinus, Caesennius Maximus, Cassius Longinus and Iunius Silanus. The exile Antistius Sosianus attempts to escape banishment by informing Nero of plots against his life. Former commander of the guard, Rufrius Crispinus, exiled to Sardinia for conspiracy, receives orders to kill himself.

@ AD 67: Nero plans to murder all exiles.

AD 68: Death of Nero.

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